

Great Britain F.

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The Law of Elections;  
BEING AN  
ABSTRACT  
O F  
All the Statutes now in Force  
Relating to the Election of  
MEMBERS.  
To Serve in the  
*House of Commons.*

In Three SECTIONS,

VIZ.

The Electors,  
DUTIES, &c. The Elected, and the  
of Officers Returning.

The Fourth Edition, enlarged from the several  
Acts of Parliament to the End of the Sessions  
1721. To which are added the Forms of the  
Oaths relating to Elections.

In the SAVORY:

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## THE PREFACE.

**A**N Abstract of the *Statutes* relating to *Parliament Elections*, was recommended, as of Use to the Publick, by a very worthy Man, lately deceased, whose Life was constantly employ'd in the Service and Interests of his Country, and for a great Part of it in the *House of Commons*: And the Method these Sheets appear in, receiv'd the Honour of his Approbation. Under these Considerations it is now submitted to the *Electors* and *Representatives* of Great Britain.

The *Sections* the following *Abstract* is divided into, contain every Head that the Matter of an Election can properly fall under, (viz.) The *Rights*, *Duties*, and *Qualifications* of the *Electors*, the

## The P R E F A C E.

*Elected, and the Officers returning: And in each Section the Statutes in Force in England to the Time of the Union, and from thence in the United Kingdom to the End of the last Session of Parliament, (for so much of each, as properly relates to each Section,) are continued under the several Reigns and Years they were made in, and the Chapters they are divided into in the Statute-Book at large; in which respect principally 'tis called an Abstract, and for that only the enacting Parts of each Statute are taken Notice of, and nothing foreign to the Election of Commoners; for where the Duties, &c. of the Members of both Houses are blended together in one Act, (as they are in many,) the Words respecting the Lords are also omitted, as are likewise all Clauses in any, repealed by subsequent Acts.*

*As to such Laws as seem to be Principles inductive to each Head; as *Magna Charta*, and some others of Antiquity; The *Union of Wales* under *Hen. 8.* The *Claim of Right* on the Revolution; The *Limitation of the Crown* to the House of *Hanover*; and the late *Union with Scotland*; It was thought fit, for Distinction*

## The PREFACE.

tion Sake, to place so much of each, as was necessary, under each Section, in a *different Letter* from the Body of the Book : But to divide the rest, (which may be called the Body of the Book,) into *two Columns* ; The first containing the *Abstract* of the Statutes themselves in the very Words of each Statute, relative to that Head ; of which nothing material ('tis hop'd) is omitted, nor any thing added, but to preserve the true *Intent* of such Statute, and necessary *Connection*, (both which are also in a *different Letter*;) And the *second Column*, is an *Abridgment* of the first particularly adapted to the Duties, &c. of those concern'd under the Title of each Section ; So that the *Electors*, the *Elected*, and the *Returning Officers*, severally, have at one View, the *Law it self*, and it's *Epitome*. ————— It is farther to be observ'd, That where *any Thing* inter-ven'd, that could not properly be rang'd under either Head ; As the *Exclusion* of the *Officers* of the *Customs*, and *Excise* from intermeddling in *Elections* ; The *Clerk* of the *Crown's Duty* in filing *Returns*, and the like ; as it ought not to be omitted,

## The PREFACE.

mitted, (the Penalties therein accruing to those concern'd, under one *Head*, or other,) So 'tis continued in Order of Time under *each*, in yet a *different Character*. — What hath been said, 'tis hop'd, is sufficient to explain the Method, and that what else may relate to it, will be found obvious.

This was thought the *fairest*, as well as the *plainest* way, of *rendring* a Collection of this kind *useful*; For in as much as the *Sense* of any *thing* *abridg'd* is very often *mistaken* in the *Abridgment*; 'twas conceiv'd necessary to give our *Legislators* *Sense* in their *own Words*, as well as *that Way*; The *former* being, if not a *Voucher* for the *latter*, yet a certain *Guide* to *detect* any of it's *Errors*; and the *Latter* (if faithfully perform'd) as ready a *Help* to the *Memory*, if not the *Understanding*, of many concern'd, especially our *Electors*. — 'Tis true, This Method could not be pursu'd without some Repetitions, but, 'tis hop'd, they will appear so necessary, as not to have been omitted, without rendring such Section, in which they are made use of, and thereby the whole Design of the Book, imperfect. As

## The PREFACE.

As the *End* as well as the *Title* of it, is only to state the *Statute-Law* in force relating to *Elections*, 'tis presum'd *nothing* can be herein *expected*, that (as has been said) is *repealed* by any subsequent *Statute*; and the *Qualifications* of *Members* by taking the *Association*, or the like; or any thing concerning the *calling* and *frequency* of *Parliaments*, or the *Privileges* of *Members*; As those *Acts* that appoint *Annual* or *Triennial* *Parliaments*; These, (or the *Clauses* of any) that continue *Parliaments* after the *Demise* of a *King* or *Queen*, that *concern* the *Privileges* of *Members*, either as to their *Persons*, or with respect to *Suits* at *Law*, &c. for, or against them: And such *Parts* also of any, (herein *abstracted*) as relate to the *Wages* of *Knights*, *Citizens*, or *Burgesses*, from the *Shires*, &c. they represent, were thought altogether as *unnecessary* to be *taken notice* of, at a time, when the *Service* of their *Country* is courted by our *Patriots*, as a *sufficient Reward* in its *self*.

All *Matter* of *Comment*, *Quotation*, &c. was in like manner thought fit to be avoided; Not only for the *Ease* of the

## The P R E F A C E.

honest *Elector*, who might be *misled*, or *perplex'd* in such a *Maze*; but *also* with due *Regard* to the *Dignity* of the *Legislative* it self; for besides that, a *positive* Law in a plain Case ought to be allow'd capable of speaking its own *Sense*, in its own *Words*; so more especially ought our *Laws* to be in *Matters* constituting so great a *Part* of the *Legislature*; nay, much rather to be *conceiv'd* in such *Words*, as no ways liable to want of *Interpretation*, or *Mistake*.

How far this Design is well executed, must be submitted to *Publick Censure*, and *better Judgments*: The *Editor* of the following *Sheets*, has only to offer in *Excuse* for any of his *Failings*, that he has acted herein with *Integrity*, and is very certain no *Mistakes* of any kind have been *wilfully*, or *negligently* committed, and hopes all others, either of his own, or the *Press*, may be *pardonable*.

T H E

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THE  
LAW  
OF  
ELECTIONS.

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*Of the ELECTORS.*

*Magna Charta.*  
9 H. 3. — *Confirm'd 28 E. 1. ch. 9.*

THE City of *London* shall have all the old Liberties and Customs which it hath been used to have. Moreover, We Will and Grant, That all other Cities, Boroughs, Towns, and the Barons of the Five Ports, and all other Ports, shall have all their Liberties and free Customs.

B

Stat.

## Of the Electors.

Stat. 34 Ed. I. ch. I.

No Tallage or Aid shall be taken or levied by Us or Our Heirs in Our Realm, without the Good-will and Assent of Archbishops, Bishops, Earls, Barons, Knights, Burgeses, and other Freemen of the Land.

## Chap. 4.

We Will and Grant for Us and Our Heirs, That all Clerks and *Laymen* of Our Land shall have their Laws, Liberties and free Customs, as largely and wholly, as they have used to have the same at any time when they had them best; And if any Statutes have been made by Us or Our Ancestors, or any Customs brought in contrary to them, or any manner Article contained in this present Charter, We Will and Grant that such manner of Statutes and Customs shall be void and frustrate for evermore.

Stat. 7 H. 4. ch. 15.

Ordained, &c. That from henceforth (*in order to the Elections of Knights of the Counties for the Parliament*) at the next County to be holden after the delivery of the Writ of the Parliament, Proclamation shall be made in the full County of the day and place of the Parliament, and that all they that be there present, as well

Electors to attend to elect Knights of the Shires on Proclamation to be made at the next County - Court after the Delivery of the Writ to the Sheriff, and Suitors

## Of the Electors.

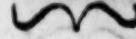
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Suitors duly summoned for the same cause, as other, shall attend to the Election of Knights for the Parliament, and then in the full County they shall proceed to the Election fairly and indifferently, notwithstanding any request or commandment to the contrary.

And after that they be chosen, the Names of the persons so chosen (be they present or absent) shall be written in an Indenture under the Seals of all them that did choose them, and tacked to the same Writ of Parliament; which Indenture so sealed and tacked, shall be holden for the Sheriff's Return of the said Writ touching the Knights of the Shire.

Stat. 1 H. 5. ch. 1.

That the Knights and Esquires, and other which shall be Choosers of Knights of the Shires, be resident, within the same Shires, the day of the date of the Writ of Summons of Parliament.

*to proceed to the England.  
Election freely.* 

*Electors after  
the Election to  
seal an Inden-  
ture containing  
the Names of the  
persons chosen,  
which annex'd  
to the Writ to be  
the Sheriff's Re-  
turn.*

*Electors of  
Knights of the  
Shires to be resi-  
dent in the same  
Shires at the date  
of the Writ.*

B 2

Stat.

## Of the Electors.

Stat. 8 H. 6. ch. 7.

Provided, &c. That the Knights of the Shires to be chosen within the Realm of *England* to come to the Parliaments of our Lord the King hereafter to be holden, shall be chosen in every County of the Realm of *England* by people dwelling and resident in the same Counties, whereof every one of them shall have Land or Tenement to the value of 40 s. by the year at the least, above all Charges; And shall be return'd by Indentures seal'd betwixt the said Sheriffs and the said Choosers so to be made.

He which cannot expend 40 s. by the year as aforesaid, shall in no wise be chooser of the Knights for the Parliament.

Electors of Knights of the Shire to be such as reside within the same County, & having Lands or Tenements of 40 s. a year Estate above all Charges.

*An Indenture to be made between the Electors and Sheriffs shall be the Return.*

*None to elect that cannot expend 40 s. by the year.*

Stat. 10 H. 6. ch. 2.

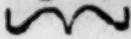
Ordained, &c. That the Knights of all Counties within the Realm (of *England*) to be chosen to come to Parliaments hereafter to be holden, shall be chosen in every County by people dwelling and re-

Electors of Knights of the Shire shall be such as reside within the same, each having Freehold of 40 s.

## Of the Electors.

5

siant in the same, whereof every Man shall have Freehold to the value of 40 s. by the year at the least, above all Charges, within the same County where any such Chooser shall meddle of any such Election.

a year at least, a- England.  
bove all Charges,   
in the Counties  
they elect for.

Stat. 23 H. 6. ch. 15.

Ordained, &c. That every Sheriff, after the delivery of any Writ (of Election) to him made, shall make and deliver without fraud a sufficient Precept under his Seal to every Mayor and Bailiff, &c. of the Cities and Boroughs within his County, commanding them by his Precept, if it be a City, to choose by Citizens of the same City, Citizens; and in the same manner and form if it be a Borough, by the Burgesses of the same, to come to the Parliament.

Citizens & Bur-  
gesses within Ci-  
ties & Boroughs,  
to elect Citizens  
and Burgesses of  
the same, and the  
Sheriff to direct  
his Precept ac-  
cordingly.

Stat. 27 H. 8. ch. 26.

Enacted, &c. That the Dominion of Wales shall be, stand, and continue for ever from henceforth incorporated, united, and annexed to and with the Realm of England; And that all and singular person and persons, born and to be born, in the said Principality, Coun-  
try,

## Of the Electors.

trey, or Dominion of Wales, shall have, enjoy and inherit all and singular Freedoms, Liberties, Rights, Privileges, and Laws, within this Realm, and other the King's Dominions, as other the King's Subjects naturally born within the same, have, enjoy, and inherit.

For all Parliaments to be holden and kept for this Realm, two Knights shall be chosen and elected to the same Parliament for the Shire of *Monmouth*, (heretofore part of *Wales*) and one Burgess for the Borough of *Monmouth*, in like manner, form, and order, as Knights and Burgesses be elected and chosen in all other Shires of this Realm of *England*.

And that one Knight shall be chosen and elected to the same Parliaments for every of the Shires of *Brecknock*, *Radnor*, *Montgomery* and *Denbigh*, and for every other Shire within the said Countrey and Dominion of *Wales*, and for every Borough being a Shire-Town within the said Countrey or Dominion of *Wales* (except the Shire-Town of the County of *Merioneth*) one Burgess, and the Election to be in like manner, form, and order as Knights and Burgess-

*The County of Monmouth to elect two Knights, and the Borough of Monmouth one Burgess, in like manner as other Shires and Boroughs of England.*

*Each County in Wales, and each Shire-Town of each County, (except the Shire-Town of *Merioneth*) to Elect one Knight, and one Burgess, in like manner.*

## Of the Electors.

7

England.

ses of the Parliament be ele-  
cted and chosen in other Shires  
of this Realm.

Stat. 34 & 35 H. 8. ch. 13.

Enacted, &c. That the County Palatine of *Chester* shall have two Knights for the said County Palatine, and likewise two Citizens to be Burgesses for the City of *Chester*; the same Election to be made under like manner and form, to all intents, constructions, and purposes, as is used within the County Palatine of *Lancaster*, or any other County and City within this Realm of *England*.

Stat. 35 H. 8. ch. 11.

Enacted, &c. That the Burgesses of all and every Cities, Boroughs and Towns (*in the 12 Shires within Wales and County of Monmouth, not finding Burgesses for the Parliament themselves, and contributary to Wages of Burgesses of such Shire Towns*) shall be lawfully admonished by Proclamation, or otherwise, by the Mayors, Bailiffs and other Head Officers of the said Towns, or by one of them,

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*The County Pa-  
latine of Chester  
to elect two  
Knights, and the  
City of Chester,  
two Citizens,  
Burgesses, in like  
manner.*

*Electors of  
Burgesses for the  
12 Shire-Towns  
in Wales, and of  
Monmouth, to  
be as well of Bur-  
gesses of all Ci-  
ties, Boroughs,  
&c. in those  
Counties, and  
as of Burgesses  
of those Towns  
themselves, and  
summoned to*

## Of the Electors.

England. to come and give their Elections for the Electing of the said Burgesses, at such time and place, lawful and reasonable, as shall be assigned for the same intent by the said Mayors, Bailiffs, and other Head Officers of the said Shire-Towns, or by one of them, in which Elections the Burgesses shall have the like Voice and Authority to elect, name, and choose the Burgesses of every the said Shire-Towns, like, and in such manner, as the Burgesses of the said Shire-Towns have and use:

such Elections by  
the Mayors, Bai-  
liffs, &c. of the  
said Shire-Towns

Stat. 25 C. 2. ch. 9.

Enacted, &c. That the County Palatine of *Durham* may have two Knights for the same County, and the City of *Durham* two Citizens to be Burgesses for the same City for ever hereafter to serve in the High Court of Parliament, the same Election from time to time to be made in manner and form following, (that is to say) the Elections of the Knights to serve for the said County Palatine from time to time, to be made by the greater num-

The County  
Palatine of Dur-  
ham to Elect two  
Knights, and the  
City of Durham  
two Citizens,  
Burgesses by ma-  
jority of Free-  
holders of the  
County present,  
and like majori-  
ty of the Mayor,  
Aldermen, and  
Freemen of the  
City present.

ber

## Of the Electors.

ber of the Freeholders of the said County Palatine of *Durham*, which from time to time shall be present at such Elections, accordingly, as is used in other Counties of this Kingdom, and that the Election of the said Burgesses from time to time, to serve in the High Court of Parliament, for the City of *Durham*, to be made from time to time, by the major part of the Mayor, Aldermen and Freemen of the said City of *Durham*, which from time to time shall be present at such Election.

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England.

*Stat. 1. W. & M. Sess. 2. ch. 2.*

[The Claim of Right.]

*That the Election of Members of Parliament ought to be free.*

Enacted accordingly.

*Stat. 2 W. & M. ch. 7.*

Enacted, &c. That all Nominations or Recommendations (*claimed as of Right by the Lord Wardens of the Cinque-ports to each of the said Cinque-ports, two ancient Towns, and their respe-*

*The Nomination to Electors of one of the Barons of each Cinque-port, the two ancient Towns and their Elive*

## Of the Electors.

England. Five Members, of one Person whom the Electors ought to Elect as a Baron or Member of Parliament for such respective Port, ancient Town, or Member,) were and are contrary to the Laws and Constitutions of this Realm, and for the future shall be so deemed and construed, and hereby are declared to have been, and are void to all intents and purposes whatsoever, any pretence to the contrary notwithstanding.

Members claimed by the Lord Warden contrary to Law, and void.

Stat. 5 W. & M. ch. 20.

No Collector, Supervisor, Gauger or other Officer, or Person whatsoever, concerned or employed in the charging, collecting, levying or managing the Duties of Excise, or any Branch or Part thereof, shall by Word, Message or Writing, or in any other manner, endeavour to persuade any Elector to give, or dissuade any Elector from giving his Vote for the Choice of any Person to be a Knight of the Shire, Citizen, Burgess or Baron of any County, City, Borough or Cinque-port, and every Officer or other Person offending therein shall forfeit the Sum of 100l. one moiety thereof to the Informer, the other to the Poor of the Parish, where such Offence shall be committed, to be recovered by any Person, that shall sue by Action of Debt, Bill, Plaintiff, or Information in any of their Majesty's Courts of Record at Westminster, in which no Eſſoin, Protection, Pri-

Privilege, or *Wager of Law*, or more than England, one Impariment shall be allowed, and every Person Convict on such Suit shall be for ever after incapacitated to bear any Office or Place of Trust under the Crown.

Stat. 7 & 8 W. 3. c. 25.

Enacted, &c. That upon every Election to be made of any Knight or Knights of the Shire, (in case a Poll shall be required) every Freeholder before he is admitted to Poll at the same Election, shall if required by the Candidates, or any of them, first take the Oath (in this Act contained, which see in the Appendix) and in case any Freeholder, or any other Person taking the said Oath, shall thereby commit wilful and corrupt Perjury, and be thereof convicted, he, and they shall for every such offence incur the like Pains, and Penalties as are in, and by one Act of Parliament made in the fifth Year of the Reign of the late Queen *Elizabeth*, enacted, against all such who shall commit wilful Perjury contrary to the said Act.

No Person or Persons shall be allowed to have any Vote in Election of Members to

Freeholder to be Sworn before admitted to Poll, if so required, by any Candidate.

Freeholders, or others committing Perjury, and convicted, for every Offence (forfeit 20*l.*) have half a years Imprisonment, and be incapacitated to take an Oath till such Judgment reversed, and for want of 20*l.* to have their Ears nailed to the Pillory, per Stat. 5 Eliz. cap. 9.)

Trustees and Mortgagees not to be Electors, serve

England. serve in Parliament for or by reason of any Trust, Estate, or Mortgage, unless such Trustee or Mortgagee be in actual Possession or Receipt of the Rents and Profits of the same Estate, but that the Mortgagor or *Cestui qui trust* in Possession, shall and may vote for the same Estate, notwithstanding such Mortgage or Trust. And that all Conveyances of any Messuages, Lands, Tenements, or Hereditaments in any County, City, Burrough, Town-Corporate, Port or place, in order to multiply Voices, or to split and divide the Interest in any Houses or Lands among several Persons, to enable them to vote at Elections of Members to serve in Parliament, are hereby declared to be void and of none effect; and that no more than one single Voice shall be admitted for one and the same House or Tenement.

No Person whatsoever being under the Age of 21 years shall at any time hereafter be admitted to give his Voice for Election of any Member or Members to serve in Parliament.

*unless in possession, or receipt of the Rents of the Estate, but the Mortgagor or Person to whose use the Trust is.*

*Conveyances of Houses, Lands, &c. in Parcels to several Persons to multiply Votes declared void, and no more than one Vote to be admitted for one Tenement.*

*None to be an Elector under the age of 21 years.*

Stat.

## Of the Electors.

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England.

Stat. 7 & 8 W. 3. ch. 27.

No Person who shall refuse to take the Oaths (of Allegiance and Supremacy, which see in the Appendix) directed by an Act made in the first year of the Reign of his present Majesty and the late Queen Mary, or being Quakers shall refuse to subscribe the Declaration of Fidelity directed by one other Act of Parliament made in the said first year of the Reign of his present Majesty and the late Queen (which see also in the Appendix) (to be administered on the Poll by the Sheriff or Chief Officer, at the request of any Candidate) shall be admitted to give any Vote for the Election of any Knight of the Shire, Citizen, Burgess, or Baron of the Cinque-Ports, to serve in Parliament.

Electors refusing to take the Oaths of Allegiance and Supremacy; or being Quakers, to subscribe the Declaration of Fidelity, (to be administered by the Sheriff or chief Officer on the Poll at any Election, at the request of any Candidate) not to be admitted to vote.

Stat. 12 & 13 W. 3. ch. 10.

No Commissioner, Collector, Comptroller, Seacher, or other Officer or Person concerned or employed in discharging, collecting, levying or managing the Customs, or any Branch or part thereof, shall by Word, Message or Writing, or in any other manner, endeavour to persuade any

England.

any Elector to give, or dissuade any Elector from giving his Vote for the Choice of any Person to be a Knight of the Shire, Citizen, Burgess, or Baron of any County, City, Borough, or Cinque-Port; And every Officer or other Person offending therein shall forfeit the Sum of 100l. one Moiety to the Informer, the other Moiety to the Poor of the Parish where such Offence shall be committed, to be recovered by any Person that shall sue for the same by Action of Debt, Bill, Plaintiff, or Information in any of His Majesty's Courts of Record at Westminster; in which no Essoin, Protection, or Wager of Law, or more than one Impariment shall be allowed; and every Person convict on any such Suit shall be incapable ever to bear any Office or Place of Trust under the Crown.

Stat. 5 Annæ, ch. 8.

[The Union Act.]

Forty five shall be the number of the Representatives of Scotland in the House of Commons of the Parliament of Great Britain.

Enacted accordingly.

Of the said Forty five Representatives of Scotland in the House of Commons of the Parliament of Great Britain, Thirty shall be chosen by the Shires, and Fifteen by

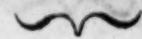
Of the Forty five Representatives for Scotland, the Shires to choose Thirty, and the Roy-

the

## Of the Electors.

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the Royal Burghs (as follows, *viz.*) one for every Shire and Steuairy, excepting the Shires of *Bute* and *Cathness*, which shall choose one by turns, *Bute* having the first Election; the Shires of *Nairn* and *Cromarty*, which shall also choose by turns, *Nairn* having the first Election; and in like manner the Shires of *Clackmannan* and *Kinross* shall choose by turns, *Clackmannan* having the first Election; And in case of the Death or legal Incapacity of any of the said Members from the respective Shires or Steuairies abovementioned to sit in the House of Commons, the Shire or Steuairy who elected the said Member shall elect another Member in his place. And that the said Fifteen Representatives for the Royal Burghs shall be chosen (as follows, *viz.*) That the Town of *Edinburgh* shall have Right to elect and send one Member to the Parliament of *Great Britain*, and that each of the other Burghs shall elect a Commissioner in the same manner as usual to elect Commissioners to the Parliament of *Scotland*, which Commissioners and Burghs

al Burghs Fif-  
teen. 

*One for every Shire, except Bute and Cathness, which are to choose one by turns, Bute to have the first Election.*

*Nairn & Cromarty the like.*

*Clackmannan & Kinross the like.*

*In case of Death or legal Incapacity of any Member for a Shire, Election to be made by the Shire that chose last.*

*Of the Fifteen Representatives for the Royal Burghs,*

*Edinburgh to choose one.*

*Each of the other Burghs to elect a Commissioner as usual to the Parliament of Scotland.*

*(Edinburgh*

Gr. Britain. (*Edinburgh excepted*) being divided into fourteen Classes or Districts, shall meet at such time and Burghs within their respective Districts, as her Majesty, her Heirs or Successors shall appoint, and elect one for each District, (*viz.* the Burghs of *Kirkwall, Week, Dornock, Dingwall, and Tain*, one; The Burghs of *Fortrose, Inverness, Nairn, and Forres*, one; The Burghs of *Elgin, Cullen, Banff, Inverary, and Kintore*, one; The Burghs of *Aberdeen, Inverberry, Montrose, Aberbrothock, and Brochline*, one; The Burghs of *Forfar, Perth, Dundee, Coupar, and St. Andrews*, one; The Burghs of *Craill, Kilrenny, Anstruther Easter, Anstruther Wester, and Pittenweem*, one; The Burghs of *Dysart, Kirkaldie, Kinghern, and Bruntisland*, one; The Burghs of *Innerkethen, Dunfermline, Queensferry, Culross, and Sterling*, one; Such Commissioners and Burghs divided into fourteen Districts, to meet at such time and Burghs within their respective Districts, as the Queen, &c. shall appoint, and choose one for each District. Kirkwall, Week, Dornock, Dingwall, and Tain, one. Fortrose, Inverness, Nairn, and Forres, — one. Elgin, Cullen, Banff, Inverary, and Kintore, — one. Aberdeen, Inverberry, Montrose, Aberbrothock, and Brochline, — one. Forfar, Perth, Dundee, Coupar, and St. Andrews, — one. Craill, Kilrenny, Anstruther Easter, Anstruther Wester, and Pittenweem, — one. Dysart, Kirkaldie, Kinghern, and Bruntisland, — one. Innerkethen, Dunfermline, Queensferry, Culross, and Sterling, — one.

The

The Burghs of *Glasgow, Renfrew, Ruglen, and Dumbarton*, one; The Burghs of *Haddington, Dunbar, North-Berwick, Lauder, and Jedburgh*, one; The Burghs of *Selkirk, Peebles, Linlithgow, and Lanerk*, one; The Burghs of *Dumfreies, Sanquhar, Annan, Lockmaben, & Kirkeudbright*, one; The Burghs of *Wigtown, New Galloway, Stranraer, and Whitehorne*, one; and the Burghs of *Air, Irvin, Rotbesay, Cambletown, and Inverary* one. And that where the Votes of the Commissioners for the said Burghs met to choose *Representatives* from their several Districts to the Parliament of *Great Britain*, shall be equal, in that case the President of the Meeting shall have a casting or decisive Vote, and that by and according to his Vote as a Commissioner from the Burgh from which he is sent; the Commissioner from the eldest Burgh presiding in

C

ferry, *Culross, & Gt. Britain.*  
Sterling,—one.

*Glasgow, Renfrew, Ruglen, & Dumbarton*, — one.

*Haddington, Dunbar, North-Berwick, Lauder, and Jedburgh* — one.

*Selkirk, Peebles, Linlithgow, and Lanerk* — one.

*Dumfreies, Sanquhar, Annan, Lockmaben, and Kirkeudbright*, — one.

*Wigtown, New Galloway, Stranraer, and Whitehern*, — one.

*Air, Irvin, Rotbesay, Cambletown, and Inverary*, — one.

*If the Votes of the Commissioners for Burghs are equal, the President of the Meeting to have the casting Vote. The Commissioner of the eldest Burgh to preside first, the others in their respective Districts by turns.*

the

Gr. Britain. the first Meeting, and the Commissioners from the other Burghs in their respective Districts presiding afterwards by turns in the order as the said Burghs (*used to be*) called in the Rolls of the Parliament of *Scotland*; and that in case any of the said fifteen Commissioners from Burghs shall decease, or become legally incapable to sit in the House of Commons, then the Town of *Edinburgh* or the District which chose the said Member, shall elect a Member in his or their place.

That none shall be capable to elect (*a Representative for any Shire or Burgh of Scotland*) unless twenty one years of Age complete, and Protestant, excluding all Papists, or such who being suspect of Popery, and required refuse to Swear and Subscribe the *Formula*, contained in the third Act made in the eighth and ninth Sessions of King *William's* Parliament (*in Scotland, which see in the Appendix*) nor shall be capable to elect (*a Representative to*) a Shire or Burgh in the Parliament of Great Britain (*for Scotland*) except such as were (*at the time of passing this*

*Like Election  
in case of death  
or legal incapacity  
of Members  
for Burghs as  
Shires, &c.*

*None capable  
to Elect under  
twenty one years  
of Age, nor unless  
Protestant.  
A Papist, and  
such as refuse  
the Formula ex-  
cluded.*

*Like incapacity on all, not at  
this time capable  
by the Laws of  
Scotland.*

*Act*

Act capable by the Law of (Scotland) to Elect as Commissioners for Shires or Burghs to the Parliament of Scotland.

Enacted accordingly.

Stat. 6 Annæ ch. 6.

Enacted, &c. That when any Parliament shall at any time hereafter be summoned or called, (on Notice to be forthwith given after Receipt of the Writs by the Sheriff or Stewart of the time of Election, for Knights of the Shire or Commissioners for Scotland) at such time of Election the several Freeholders in the respective Shires, and Stewarties shall meet and convene at the Head Burghs of their several Shires and Stewarties, and proceed to the Election of their respective Commissioners or Knights for the Shire or Stewartry, and the Clerks of the said Meetings shall respectively return the Names of the Persons elected to the Sheriff or Stewart of the Shire or Stewartry, (on a Receipt in like manner to be directed by the Sheriffs of E-

Freeholders of Scotland to meet at the head Burghs of the Shires on notice of the time of the Election, to be given them by the Sheriff, and proceed to elect their Knights to be return'd by their Clerks to the Sheriff.

## Of the Electors.

Gr Britain. *edinburgh to the Lord Provost of that City)* and Receipt of such Precept the City of Edinburgh shall elect their Member, and their common Clerk shall certifie his name to the Sheriff of Edinburgh.

On Precepts in like manner to be directed by the Sheriffs or Stewarts of the several Shires or Stewartries, where the other fourteen Districts of Royal Burghs respectively are, reciting the contents and date of the Writ, and commanding them to elect each of them a Commissioner, as they used formerly to elect Commissioners to the Parliament of Scotland, and to order the respective Commissioners to meet at the presiding Borough of their respective District (naming it) on the thirtieth day after the Teste of the Writ, unless Sunday, and then the next day after, and then to chuse their Burgess for the Parliament. The common Clerk of the then presiding Borough, shall immediately after the Election return the name of the Person so elected to the Sheriff or Stewart of the Shire, or Stewartry wherein such pre-

City of Edinburgh on precept from their Sheriff to their Provost to elect their Member, and their common Clerk to make the return in like manner.

Royal Burghs on like Precepts reciting the Date and contents of the Writ, to Elect their Commissioners as usual to the Parliament of Scotland, and each Commissioner of each Burgh in each District to meet at the presiding Borough of such District, the thirtieth day after the date of the Writ, unless Sunday, and then Monday, & then to choose their Burgess, & their common Clerk forthwith to make the return in like manner.

siding Borough is. And in case a vacancy shall happen in time of Parliament by the decease, or legal incapacity of any Member, a new Member shall be elected in his room conformable to the Method herein before appointed, and in case such Vacancy be of a Representative for any one of the said fourteen Classes, or Districts for Royal Boroughs, that Borough which presided at the Election of the deceased or disabled Member, shall be the presiding Borough at such new Election.

Like method of Gr. Britain.  
Electing in case of Vacancy in Parliament time by decease, or incapacity of a Member, and if for a Burgh, the presiding Burgh at the first, to preside at the new Election.

Stat. 6 Anne ch. 23.

Enacted, &c. That every Person who shall refuse to take the Oath (of Abjuration, which see in Appendix) or being a Quaker shall refuse to declare the effect thereof, upon his Solemn Affirmation as directed by an Act of Parliament made in the seventh year of the Reign of his late Majesty King William (the form whereof, see also in the Appendix) to be administered by the Sheriff, President of the Meeting, or Chief Officer taking the Poll at any Election of Members to serve in the

Electors of Members of Parliament in Great Britain, or of Commissioners for choosing Burghesses in Scotland, refusing to take the Abjuration Oath, (or, if Quakers, the effect, upon Affirmation) to be administered by the Sheriff President of the Meeting, &c. at the re-  
House

## Of the Electors.

Gr. Britain. House of Commons for any quest of any Can-  
 place in Great Britain, or didate, or other. Commissioners for chooing incapable to Vote, Burgeses in for any place in Scotland, at the request of any Candidate, or other Person present, shall not be capable of giving any Vote for the Election of any such Member to serve in the House of Commons for any place in Great Britain, or Commissioner to chuse a Burgess for any place in Scotland.

Stat. 9. Anne

Enacted, That every Person (except the eldest Son or Heir apparent of a Peer or of a Person qualified by this Act to serve as Knight of a Shire, or such as shall be elected for each of the Universities of England) shall upon Request at the Time of Election, or before, the Day to be prefixed in the Writ of Summons for the meeting of (any subsequent) Parliament by any Two or more Persons having a Right to vote at such Elections, take a Corporal Oath in the Form (in this Act contained; which see in the Appendix.)

Candidates to be sworn to their Estates, if required by two Electors.

The

## Of the Electors.

23

The respective Oaths aforesaid, shall be administred by the Sheriff or Under-Sheriff for any County, or by the Mayor, Bayliff or other Officers for any City, Burrough, &c. to whom it shall appertain to take the Poll, or make the Return at such Election, or by any Two Justices of the Peace within *England*, &c. and if any of the said Candidates shall wilfully refuse to take the Oath, the Election and Return of such Candidate and Person shall be void.

*The Oaths to be Gr. Britain, administered by the Sheriff or other Officer by whom the Poll is to be taken, or Return made, or Two or more Justices of the Peace.*

*The Election and Return of Candidates refusing to take the Oaths, void.*

Stat. 10 Anne.

Enacted, That all Estates and Conveyances made to any Persons, in any Collusive Manner, to qualify them to give their Votes at Elections of Knights of the Shire (subject to Conditions to determine or re-convey such Estate) shall be taken against those Persons who executed the same, as free and absolute, and be holden by all such Persons to whom such Conveyance shall be made, freely acquitted from all Manner of Trusts, Clauses of Re-Entry, &c. between the said Parties, and all Bonds, Covenants, &c.

*Collusive Estates made to qualify Electors for Knights of the Shire made absolute, and all Bonds, &c. for restoring the same, void.*

C 4

for

## Of the Electors.

Gr. Britain. for the Restoring thereof, shall be null and void; and every Person who shall make and execute such Conveyances, or being privy to such Purpose, shall devise or prepare the same, or any Person who, by Colour thereof, shall give any Vote at any Election of Knights of a Shire, shall forfeit 40*l.* to any that will sue for the same, to be recovered with full Costs of Suit by Action of Debt, &c. in any of her Majesty's Courts at Westminster, wherein no Eſtōin, &c. or more than One Imparlance shall be allowed.

After May 1. 1712. No Person shall Vote for the electing of a Knight of a Shire in England, in Right of any Lands which have not been assessed to the Publick Taxes, Church-Rates, and Parish-Duties, in such Proportion as other Lands of 40*s.* per *Annum* in the Parish where the same shall be, and for which such person shall not have received the Rents, or be entitled so to do, to the Value of 40*s.* or more, to his own Use, for one Year before such Election, unless it come by Descent, Marriage, Devise, or Presentation to some Be-

*The Maker, A-  
visor, and Voter,  
forfeit 40*l.* each,  
with full Costs,  
&c. to any that  
will sue for the  
same, &c.*

*None after the  
1st of May 1712  
shall vote in  
Right of Lands  
not assessed to the  
Taxes, Rates,  
&c. in Propor-  
tion to other  
Lands of 40*s.*  
per An. in the  
same Parish, and  
for which he shall  
not have received  
or be entitled  
to 40*s.* Rent or  
more to his own  
Use before the  
Election, unless  
come by Des-  
cen-*

## Of the Electors,

25

Gr. Britain.

nefice, &c. and voting contrary to the true Intent hereof shall forfeit 40*l.* one Moiety to the Poor where the Lands lie, the other to the Person suing for the same.

The Act (7 W. 3.) as to so much only as concerns the Oath (*to be administred to Freeholders*) shall be, and is hereby repealed.

And upon every Election to be made of a Knight of a Shire within *England*, every Freeholder, before he is admitted to Poll, shall if required by the Candidates, or any of them, or any other Person having a Right of vote, First take the Oath (*in this Act contained, which see in the Appendix*) which Oath the Sheriff, &c. is to administer; and such or any other Person being convicted of wilful Perjury, or suborning any Freeholder, &c. to commit such Perjury, he shall incur the Penalties in the Act 5 Eliz. for punishing Perjury.

And if any *Quaker* during the Continunce of an Act (7 W. 3.) Intituled an Act, That the solemn Affirmation and Declaration of the People called *Quakers* shall be accepted instead of an Oath in the u-

cent, &c.

Voting otherwise forfeits 40*l.*  
half to the Poor,  
half to him that  
sues, to be recovered,  
&c. as above.

Freeholder to be  
sworn before ad-  
mitted to Poll, if  
required by any  
Candidate or  
Voter.

Freeholders or  
other Persons  
convicted of Per-  
jury, for every Of-  
fence forfeit 20*l.*  
suffers half a  
Year's Imprison-  
ment, is incapaci-  
tated to take an  
Oath till such  
Judgment be re-  
versed, and for  
want of 20*l.* to  
have his Ears  
nailed to the Pil-  
lory, per Stat. 5.  
Eliz.

Convicted of Su-  
bordination of Per-  
jury for every Of-  
fual

## Of the Electors.

Gr. Britain. usual Form, shall upon such Election if required by the Candidates, or any of them, declare the Effect of the said Oath upon his solemn Affirmation, in such Manner and Form as is directed by the said Act, every such *Quaker* shall be capable, and admitted to give his Vote for the Election of any such Member within *England*; and every Sheriff, &c. is hereby authorized and required to accept such Affirmation instead of the said Oath. And in Case any such *Quaker* shall be convicted wilfully, falsely and corruptly to have affirmed or declared any Matter or Thing; which if the same had been in the usual Form, would have amounted to wilful and corrupt Perjury; every such *Quaker* so offending, shall incur the same Penalties and Forfeitures, as are herein before enacted against Persons convicted of wilful and corrupt Perjury.

fence (forfeits 40 l. and the like In-capacity; and for want of 40 l. to stand in the Pillory an Hour by the same Statute.)

Quakers capaci-tated to Vote during the Act 7 W. 3. And their Affirmation to the Effect of the Oaths according to the said Act, to be accepted instead thereof by the Sheriff, &c.

Quaker convicted of affirming what would have been Perjury by the usual Form, to incur the same Penalties as others, per Stat. 5. Eliz. as above.

1 Stat. 12 Anne.

Enacted, That the aforesaid Act (10 Anne) shall not extend to restrain any Person from voting in Right of any

Persons capaci-tated to Vote, in Right of Rents, Tithes, and other Rents,

Rents, Tithes or other incorporeal Inheritances, or any Messuages or Lands in Extra-Parochial Places, or any Chambers in the Inns of Court or Inns of Chancery, or any Messuages or Seats belonging to any Offices; or in Right of any other Messuages or Lands that have not been usually charged and assessed to all and every the Publick Taxes, Church-Rates and Parish-Duties, Provided, such Messuages or Lands have been usually charged or assessed to some one, or more of the said Publick Taxes, Rates, or Duties in such Proportion, as other Messuages or Lands of 40*s. per Annum* within the same Parish or Township where the same shall lye, are usually charged.

incorporeal Inheritances, Messuages or Lands Extra-Parochial, Chambers in Inns of Courts or Chancery, Messuages or Seats belonging to Offices; and recapacitated in Right of any other Messuages or Lands not usually charged to all, but one or more of the Publick Taxes, Rates, &c.

Enacted, That from and after the Determination of this present Parliament no Conveyance or Right whatsoever, whereupon Infeoffment is not taken, and Seisin registered One Year before the Teste of the Writs for calling a New Parliament, shall upon Objection made in that Be-

No Conveyance or Right after the End of this Parliament, whereon Infeoffment is not taken, and Seisin registered a Year before the Teste of the Writs, shall half,

Gr. Britain: half, entitule the Person or Persons, so infest, to vote at that Election, in any Shire or Stewartry in that Part of Great-Britain call'd Scotland; And in Case any Election happen, during the Continuance of a Parliament, no Conveyance or Right whatsoever, whereupon Inf feoffment is not taken One Year before the Date of the Warrant for making out a new Writ for such Election, upon Obje-*tion* made in that Behalf, entitule the Person or Persons so infest, to vote at that Elec-*tion*; And that it shall be lawful for any of the Electors present, suspecting any Person or Persons to have his or their Estates in Trust, and for the Behoof of another, to require the Preses of the Meet-*ing* to tender the Oath (*in this Act contained, which see in the Appendix*) to any Elector; and the said Preses is hereby impowered and required to administer the same.

In Case such Elector refuse to swear, and also to subscribe the said Oath, such Person or Persons shall not be capable of voting at such Election.

entitle the Person to Vote, for the Election in any Shire or Stewartry in Scotland.

*The like as to Inf feoffment not taken a Year before the Date of a Warrant for a new Writ during the Continuance of a Parliament. Any Elector present suspecting Persons to have Estates in Trust, may require the Preses of the Meeting to swear such to their Estates.*

*Elector refusing to swear and subscribe the Oath, incapable to Vote.*

Notwith-

Notwithstanding such Oath taken, it shall be lawful to make such other Objections as are allowed by the Laws of Scotland against such Electors.

No Infeoffment taken upon any redeemable Right (except proper Wadsets, Adjudications, or Apprisings allowed by the A&T of Parliament relating to Elections in One thousand six hundred eighty one,) shall entitle the Persons so infest, to vote at any Election in any Shire or Stewatry ; And no Person or Persons who have not been enrolled and voted at former Elections, shall upon any Pretence whatsoever be enrolled or admitted to vote at any Election, except he or they first produce a sufficient Right or Title to qualify him or them to vote at that Election, to the Satisfaction of the Freeholders formerly enrolled, or the Majority of them present ; and the returning Officers are hereby ordained to make their Returns of the Persons elected, by the Majority of the Freeholders enrolled, and those admitted by them, reserving always the Liberty of

*Other Objections allowed by the Laws of Scotland lawful to be made against Electors.*

*No Infeoffment taken upon any redeemable Right (except proper Wadsets, Adjudications, or Apprisings allowed per A&T, 1681.) shall entitle the Person to vote.*

*None not enrolled and voted at former Elections, shall be enrolled or admitted to vote without producing a sufficient Qualification to the Satisfaction of a Majority of the Freeholders present.*

*Persons elected by a Majority of the Freeholders enrolled, to be returned with Liberty of objecting against Persons objecting*

Gr. Britain. objecting against the Persons admitted to, or excluded from the Roll, as formerly.

The Right of apparent Heirs in Voting at Elections by Virtue of their Predecessor's Infeoffments, and of Husbands by Virtue of their Wives Infeoffments, is reserved to them as formerly.

Any Conveyance, or Right, which by the Laws of Scotland is sufficient to qualify any Person to vote in the Elections of Members of Parliament for Shires or Stewartries, and whereupon Infeoffment is taken on, or before the first Day of June, in the Year of our Lord One thousand seven hundred and thirteen, shall entitle the Person or Persons so infest, to vote at the Election of Members to serve in the next ensuing Parliament.

No Husband shall vote at any ensuing Election by Virtue of their Wives Infeoffments, who are not Heiresses, or have not Right to the Property of the Lands, on Account whereof such Vote shall be claimed.

sons admitted to, or excluded from the Roll as formerly.

*The Rights of Heirs Apparent in Voting by their Predecessors Infeoffments and of Husbands by their Wives, reserved.*

*Any Conveyance or Right by the Laws of Scotland sufficient to qualify a Voter in Elections for Shires or Stewartries, whereon Infeoffment taken before June 1. 1713. a Qualification for future Voting generally.*

*Husbands not to vote by their Wives Infeoffments who are not Heiresses, nor have Right to the Property of the Lands for which such Vote claimed.*

of

## Of the ELECTED.

Stat. 34 E. I. ch. 1.

NO Tallage or Aid shall be taken or levied by us, or our Heirs in our Realm without the Good will and Assent of Archbishops, Bishops, Earls, Barons, *Knights*, *Burgeesses*, and other Freemen of the Land.

Stat. 3 R. 2. ch. 4.

The King doth Will and Command, and it is assented in the Parliament by the Prelates, Lords and Commons, that all and singular Persons and Commonalties, which from henceforth shall have the Summons of Parliament shall come from henceforth to the Parliaments in the manner as they are bound to do, and have been accustomed within the Realm of *England*, of old times.

And if any Person of the same Realm, which from henceforth shall have the said Summons (be He Knight of

Persons and Commonalty summoned to Parliament duly to attend.

*Knights*, *Citizens*, and *Burgeesses* absenting, to be amerced the

England. the Shire, Citizen of City, Burgess of Borough, or other singular Person, or Commonalty) do absent himself, and come not at the same Summons (except he may reasonably, and honestly excuse him to our Lord the King) he shall be amerced, and otherwise punished according as in old times hath been used within the said Realm in the said Case.

and otherwise  
punished as in old  
times used.

Stat. 1 H. 5. ch. 1.

That the Knights of the Shires which from henceforth shall be chosen in every Shire, be not chosen unless they be resident within the Shire, where they shall be chosen, the day of the date of the Writ of the Summons of Parliament.

And moreover it is ordained and established, That the Citizens and Burgesses of the Cities and Boroughs be chosen Men, Citizens and Burgesses, Resident, Dwelling, and Free in the same Cities and Boroughs, and no other in any wise.

Knights of the  
Shires to be e-  
lected of such only  
who reside with-  
in the Counties  
they are chosen  
for at the date of  
the Writ.

Citizens and  
Burgesses in like  
manner to reside  
in and be free of  
the Cities and  
Boroughs, they  
are elected for.

Stat.

## Of the Elected.

Stat. 8 H. 6. ch. 7.

33  
England.  
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That such as have the greatest number of them that may expend 40s. by the year, and above, shall be returned (Knights of the Shire,) &c. and that they which shall be chosen shall be dwelling, and resident within the same Counties.

Knights of the Shires, shall be such as have the majority of those that can expend 40s. a year, or more, and shall be resident in their Counties (Generally.)

Stat. 23 H. 6. ch. 15.

Ordained, &c. That every Sheriff after the delivery of any Writ (of Election) to him made, shall make and deliver without fraud, a sufficient Precept under his Seal to every Mayor and Bailiff, or to Bailiffs or Bailiff where no Mayor is, of the Cities and Boroughs within his County, reciting the said Writ, commanding them by his Precept, if it be a City, to choose, &c. Citizens; and in the same manner if it be a Borough, &c.

And that every Sheriff at every time that he doth contrary to this Statute, or any other Statutes for the Election of Knights, Citizens, and

Citizens and Burghesses only to be elected by Citizens and Burghesses, and the Sheriff shall direct his Precept accordingly.

Knights, Citizens, or Burghesses elected, and not duly return'd, (the Sheriff Bur-

England. Burgesses to come to the Parliament, before this time made, shall forfeit and pay to every person chosen Knight, Citizen or Burgess in his County, and not duly returned, 100*l.* whereof every Knight, Citizen or Burgess so griev'd severally shall have his Action of Debt against the said Sheriff, or his Executors or Administrators, to demand and have the said 100*l.* with his Costs spent in that case. And that in such Action taken by virtue of this Statute the Defendant shall not wage his Law of the Demand aforesaid in any wise. And that no Defendant in such Action shall have any Essoin.

And that in the same manner at any time that any Mayor and Bailiffs, or Bailiffs or Bailiff where no Mayor is, shall return others than those which be chosen, &c. shall forfeit and pay to every person hereafter chosen Citizen or Burgess to come to the Parliament, and not by the same Mayor and Bailiff, or Bailiff or Bailiffs where no Mayor is, returned, 40*l.* whereof every of the Citizens and Burgesses so grieved severally shall have his Action

rieff acting contrary to this Stat. or any former Stat. for Elections) to have Action of Debt against him, his Executors or Administrators, for 100*l.* with Costs, wherein no Wager of Law, &c. shall be allowed.

*The like Action given against Mayor or Bailiffs, their Executors or Administrators for 40*l.* Debt and Costs, for returning others than such as are chosen Citizens and Burgesses by Citizens and Burgesses.*

## Of the Eleced.

35

England.

of Debt against every of the said Mayor and Bailiffs, or Bailiffs or Bailiff where no Mayor is, or against their Executors, or Administrators, to demand and have of every the said Mayors and Bailiffs, or Bailiffs or Bailiff where no Mayor is, 40*l.* with his Costs in this case expended.

And that in such Action of Debt taken by force of this Statute, no Defendant in any wise shall wage his Law of the said Demand, nor have any Essoin.

Provided always, That every Knight, Citizen and Burgess to come to any Parliament hereafter to be holden, in due form chosen, and not returned as afore is said, shall begin his Action of Debt aforesaid within three months after the same Parliament commenced, to proceed in the same Suit effectually, without fraud.

And if an Knight, Citizen or Burgess hereafter returned by the Sheriff to come to the Parliament in the manner aforesaid, after such Return be by any person put out, and another put in his place, that such person so put in the place

*Such Knight, Citizen and Burgess to commence the Action within 3 months after the commencement of such Parliament, and proceed therein without Fraud.*

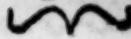
*In case of a Knight, Citizen, or Burgess returned and put out, 100*l.* forfeited to the King by any person put in his place*

England. of him which is out, if he take upon him to be Knight, Citizen or Burgess at any Parliament in time to come, shall forfeit to the King 100*l.* and 100*l.* to the Knight, Citizen or Burgess so returned by the Sheriff, and after, as afore is said, put out. And that the Knight, Citizen or Burgess which is so put out shall have an Action of Debt of the same 100*l.* against such person put in his place, his Executors or Administrators, provided always that he shall begin his Suit within 3 months after the Parliament commenced, &c. And that no Defendant in such Action shall wage his Law, nor be esjoined. And that such Process shall be in the Actions aforesaid, as in a Writ of Trespass done against the Peace, at the Common Law.

So that the Knights of the Shires for the Parliament hereafter to be chosen shall be notable Knights of the same Counties for the which they shall be chosen, or otherwise such notable Esquires or Gentlemen born of the same Counties as shall be able to be Knights. And no man to

place, and serving as such. And a like Action against him, &c. for 100*l.* Debt, and Costs given to the party grieved, to be commenced within 3 months after the commencement of such Parliament. And like Process as in Trespass at Common Law.

Provided that Knights of the Shires be Knights of the Counties they shall be elected for, or Esquires, or Gentlemen able to be Knights, be

be such Knight, which stand- and not Yeo- England.  
eth in the degree of a Yeo- men, or under.   
man, or under.

Stat. 6 H. 8. ch. 16.

Enacted, &c. That from henceforth no Knights (of Shires) Citizens, Burgeses, and Barons (of Cinque-Ports) nor any of them that shall hereafter be elected to come or be in any Parliament, do not depart from the said Parliament, nor absent himself from the same, till the said Parliament be fully finished, ended or prorogued, except he or they so departing have Licence of the Speaker and Commons in the said Parliament assembled, and the same Licence be entred of Record in the Book of the Clerk of the Parliament appointed or to be appointed for the Commons House, &c.

Knights, Citizens, &c. not to depart or be absent from Parliament, without leave of the House of Commons, to be entred in the Journal.

Stat. 27 H. 8. ch. 26.

Enacted, &c. That the two Knights to be chosen and elected to Parliament for the Shire of Monmouth (heretofore part of Wales) and the one Burgess for the Borough of Monmouth, shall have like

D 3

The two Knights to be elected for the County of Monmouth, and one Burgess for the Borough of Dign-

England. Dignity, Preeminence and Privilege, as other Knights and Burgeses of the Parliament.

And that the Knight which shall be chosen, and elected to the Parliaments for the Shires of Brecknock, Radnor, Montgomery, and Denbigh, and for every other Shire within the Country or Dominion of Wales, and for every other Borough being a Shire-Town within the said Country or Dominion of Wales shall have like Dignity, Preeminence, and Privilege, as other Knights of Parliament.

Monmouth to have like Privilege, &c. as other Knights of Parliament.

The Knight for each County, and Burges for each Shire-Town in Wales, to have like Privileges, &c.

Stat. 34 & 35 H. 8. ch. 13.

Enacted, &c. That the two Knights to be elected for the County Palatine of Chester and two Citizens, as Burgeses for the City of Chester, shall be Knights and Burgeses of the Court of Parliament, and have like Voice and Authority, to all intents and purposes, as any other the Knights and Burgeses of the said Court of Parliament have, use and enjoy, &c.

The two Knights for the County, and two Burgeses for the City of Chester, to have like Privileges, &c.

Stat.

Enacted, &c. That every Person which hereafter shall be elected or appointed a Knight, Citizen or Burgess, or Baron for any of the five Ports for any Parliament or Parliaments hereafter to be holden, shall from henceforth before he shall enter into the Parliament House, or have any Voice there, openly receive and pronounce the Oath (\*expressed in the Stat. 1 Eliz. ch. 1. commonly called the Oath of Supremacy) before the Lord Steward (of the Queen's Household) for the time being, or his Deputy or Deputies for that time to be appointed, and that he which shall enter into the Parliament House, without taking the said Oath, shall be deemed no Knight, Citizen, Burgess nor Baron for that Parliament, nor shall have any Voice, but shall be to all intents, constructions and purposes, as if he had never been returned, nor elected Knight, Citizen, Burgess or Baron for that Parliament, and shall suffer such Pains and Penalties, as if he had presumed to

Knights, Citizens, &c. before their sitting in the Parliament House, to take the Oath of Supremacy before the Lord Steward, or his Deputies, for the contrary to lose their Memberships, and incur such Penalties as if they had sat without Election, Return, &c.

\* The Oath of Supremacy mentioned in this Act, is abrogated by the Stat. 1 W. & M. ch. 1. and a new one appointed, which see in the Appendix.

England. fit in the same without Election, Return or Authority.

Stat. 7 Jac. I ch. 6.

Enacted, &c. That all and every the Knights, Citizens, Burgesses and Barons of the five Ports of the Commons House of Parliament, at any Parliament or Session of the Parliament hereafter to be assembled, before he or they shall be permitted to enter into the said House, (shall make, take and receive \* the Oath of Obedience mentioned in the Statue of 3 Ja. I. ch 4. commonly called the Oath of Allegiance) before the Lord Steward for the time being (of the King's Household) his Deputy or Deputies.

Knights, Citizens, &c. at any Parliament, or Sessions, to take the Oath of Allegiance before the Lord Steward, &c. e're they be permitted to sit.

\* The Oath of Allegiance mentioned in this Act, is abrogated by the Statue of 1 W. & M. ch. I. and a new one appointed, which see in the Appendix.

Stat. 25 C. 2. ch. 9.

Enacted, &c. That the two Knights to be elected for the County, and the two Citizens as Burgesses for the City of Durham (the Election of Knights of the Shire, to be by Majority of Freeholders, and the Burgesses by a Majority of the Mayor, Aldermen and Free-men present at such Election).

The two Knights to be elected for the County and two Burgesses for the City of Durham, by a majority of Freeholders, and a like majority of shall

shall be by Authority of this A&T, Knights and Burgesses of the High Court of Parliament, to all intents and purposes, and have, and use the like Voice, Authority and Places therein, to all intents and purposes, as any other the Knights and Burgesses of the said High Court of Parliament, have, use and enjoy, and likewise shall, and may by virtue of this present A&T take, have, use and enjoy all such and the like Liberties, Advantages, Dignities and Privileges concerning the said Court of Parliament, to all intents, constructions and purposes, as any other the Knights and Burgesses of the said High Court of Parliament have taken, had, used or enjoyed, or shall, may, or ought hereafter to have, take or enjoy.

*Mayor, Alder-England.  
men and Free-  
men present, to  
have like Pri-  
vileges, &c.*

Stat. 30 Car. 2. ch. I.

Enacted, &c. That none which shall be a Member of the House of Commons shall vote in the House of Commons, or sit there during any Debate in the said House of Commons after their Speaker is chosen, until such Mem-

bers of  
the House of  
Commons, shall  
not Vote or sit  
there during any  
Debate after  
their Speaker  
chosen, until they  
ber

England. he shall from time to time, and in manner following, first take the several \* Oaths of Allegiance and Supremacy, and make, subscribe, and audibly repeat the Declaration (in this *Act* contain'd, commonly called the Test, which see in the Appendix;) which said Oaths and Declarations shall be in this and every succeeding Parliament solemnly and publickly made and subscribed betwixt the Hours of Nine in the morning and Four in the afternoon, by every such Member of the House of Commons at the Table in the middle of the said House, and whilst a full House of Commons is there duly sitting, with their Speaker in his Chair, and that the same be done in the House, in such-like order or method as the House is called over by.

If any Member of the House of Commons shall presume to do any thing contrary to this *Act*, every Member so offending shall from thenceforth be deemed and adjudged a Popish Recusant Convict, to all intents and purposes whatsoever, and shall forfeit and suffer as a Popish Recusant Convict, and shall be disabled

have taken the Oaths of Allegiance and Supremacy, and subscribed the Test, between the hours of 9 and 4, in a full House.

\* These Oaths are abrogated by *Stat. 1. W. & M. ch. 1.* and new ones appointed, which see in the Appendix.

Members acting contrary to this *Act* shall be adjudged Popish Recusants convict, and suffer as such, and be disabled to hold any Office or place of to

## Of the Elected.

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to hold or execute any Office or place of Profit or Trust, Civil or Military, in any of His Majesties Realms of *England* or *Ireland*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, or in any of His Majesty's Realms, Islands or Foreign Plantations to the said Realms belonging, and shall be disabled from thenceforth to sit or vote in Parliament, or to sue or use any Action, Bill, Plaintiff, or Information in course of Law, or to prosecute any Suit in any Court of Equity, or to be Guardian of any Child, or Executor or Administrator of any person, or capable of any Legacy or Deed of Gift, and shall forfeit for every wilful Offence against this Act the Sum of 500*l.* to be recovered or received by him or them that will sue for the same, and to be prosecuted by any Action of Debt, Suit, Bill, Plaintiff, or Information in any of His Majesty's Courts at *Westminster*, where no Essoin, Protection, or Wager of Law shall lie.

It shall be lawful to and for the House of Commons, as often as they shall see occasion, to order or cause all

*Profit or Trust England.*  
in England or *its Dominions*, to sit or vote in Parliament, bring any Action or Information at Law, or Suit in Equity, be Guardian of any Child, Executor or Administrator of any person, or capable of any Legacy or Deed of Gift, and forfeit 500*l.* for every Offence to any that will sue by Action of Debt, &c. where no Essoin, &c. shall lie.

Members ob-  
lig'd to take the  
said Oaths and  
subscribe the  
or

England, or any of the Members of  
 Parliament openly in their  
 House to take the said Oaths,  
 and to make and subscribe  
 the said Declaration, at such  
 times, and in such manner,  
 as they shall appoint. And if  
 any Member or Members of  
 the House of Commons shall,  
 contrary to such Order made  
 by their House, wilfully pre-  
 sume to sit therein, without  
 taking the said Oaths, and  
 making and subscribing the  
 said Declaration, every such  
 Member or Members of the  
 House of Commons so pre-  
 suming to sit, shall be ad-  
 judged, and is hereby decla-  
 red to be incapable and dis-  
 abled in Law, to all intents  
 and purposes whatsoever, to  
 sit in the said House of Com-  
 mons, or give any Voice  
 therein during that Parliament.

And in every case where  
 any Member or Members of  
 the House of Commons shall  
 by virtue of this Act be dis-  
 abled to sit or vote in the  
 House of Commons, then,  
 and in every such case, with-  
 out any further Conviction,  
 or other proceedings against  
 such Member or Members,  
 the place or places for which  
 they or any of them were e-

*Test in the House  
 as often as the  
 House shall think  
 fit, and Mem-  
 bers acting con-  
 trary, and pre-  
 suming to sit, in-  
 capacitated du-  
 ring that Par-  
 liament.*

*Such Mem-  
 bers Election  
 declared void,  
 and the Speaker  
 by Order of the  
 House impow-  
 er'd to issue his  
 Warrant for a  
 new Election.*

lected,

lected, is hereby declared void, and a new Writ or Writs shall issue out of the High Court of *Chancery*, by Warrant or Warrants from the Speaker of the House of Commons for the time being, and by Order of the said House, for the Erection of a new Member or Members to serve in the House of Commons in the place or places of such Member or Members so disabled, to all intents and purposes as if such Member or Members were naturally dead, &c.

*During the taking the Oaths and subscribing the Test, all other Proceedings in Parliament to cease, and the Oath, Declaration and Subscription, with a Schedule of the Names of the persons taking and subscribing them, to be entred and filed in Parchment-Rolls provided by the Clerk of the House, and each Member to pay only 12d. for every such Entry.*

Stat. 1 W. & M. ch. 1.

Enacted, &c. That the Act made in the 30th year of K. Ch. 2. and all other Acts of Parliament, as to so much of

Members of  
the House of  
Commons quali-  
fied to sit and  
the

## Of the Eleced.

England. the said Act or Acts only as concerns the taking the Oaths of Supremacy and Allegiance, or either of them, in the said Acts respectively mentioned, by any Member or Members of the House of Commons with relation to their sitting and voting in Parliament, shall be, and are hereby repealed to all intents and purposes, any thing in the said recited Act or Acts to the contrary notwithstanding. In all future Parliaments the Oaths (*in this Act mentioned (which see in the Appendix)*) and the Declaration in the Act made in the 30th year of K. Ch. 2. mentioned, (*which also see in the Appendix*) shall be taken, made, subscribed and repeated by every Member of the House of Commons, within the time, and in the same manner and form, and under the Penalties and Disabilities as the said Oaths of Allegiance and Supremacy, and the said Declaration by the said Act of the 30th year of K. Ch. 2. are limited, ordained and appointed to be taken, made, subscribed, and repeated, and not at any other time, or in any other man-

*vote by taking the Oaths of Allegiance and Supremacy appointed by this Act (instead of the old ones, now repealed) and by subscribing the Test according to the limitations, &c. of the preceding Statute, 30 Car. 2.*

## Of the Elected,

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England.

ner, to enable them to sit and vote in Parliament, any thing in the said Act or Acts, or in any of them, to the contrary notwithstanding.

Stat. 1 W. & M. ch. 2.

[The Claim of Right.]

*That Elections of Members of Parliament ought to be Free.*

*That the Freedom of Speech and Debates on Proceedings in Parliament ought not to be impeached or questioned in any Court or Place out of Parliament.*

Enacted accordingly.

Stat. 5 & 6 W. & M. ch. 7.

Enacted, &c. That no Member of the House of Commons shall at any time be concern'd directly or indirectly, or any other in trust for him, in the forming, collecting or managing any of the Duties, or other Aids that hereafter shall be granted by Act of Parliament, (except the Commissioners of the Treasury, \* and the Officers and Commissioners for managing the Customs and Excise, not exceeding the present number in each Office

Members of the House of Commons to be no ways concern'd in Duties or Aids to be granted by Parliament, except Commissioners of the Treasury, Customs, Excise and Land Tax.

\* Incapacitated to be concern'd in the Excise by and

England, and Commissioners of the Stat. 11 & 12  
 Land Tax. W. 3. Ch. 2.

and in the Customs by Stat. 12 & 13. W. 3. Ch. 10.

Stat. 5 & 6 W. & M. ch. 20.

Enacted, &c. That it shall and may be lawful, to, and for any Member or Members of the House of Commons to be a Member or Members of the Corporation (of the Governor and Company of the Bank of England,) No Collector, Supervisor, Gauger, or other Officer, or Person whatsoever concerned or employed in the charging, collecting, levying or managing the Duties of Excise, or any Branch, or part thereof shall, by Word, Message or Writing, or in any other manner endeavour to persuade any Elector to give, or dissuade any Elector from giving his Vote for the Choice of any Person to be a Knight of the Shire, Citizen, Burgess or Baron of any County, City, Borough, or Cinque-Port, and every Officer, or other Person offending therein, shall forfeit the Sum of 100l. one Moiety thereof to the Informer, the other Moiety to

Members of  
 the House of  
 Commons may  
 be Members of  
 the Bank.

the

## Of the Elected.

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England.

the Poor of the Parish where such offence shall be committed, to be recovered by any Person that shall Sue for the same, by Action of Debt, Bill, Plaintiff or Information in any of their Majesties Courts of Record at Westminster, in which no Essoin, Protection, Privilege, or more than one Impariment shall be allowed, and every Person Convict on such Suit of the said Offence, shall be for ever incapacitated to bear any Office or Place of Trust under the Crown.

Stat. 7 W. 3. ch. 4.

Enacted, &c. That no Persons hereafter to be elected to serve in Parliament for any County, City, Town, Borough, Port or Place within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, after the Teste of the Writ of Summons to Parliament, or after the Teste, or the issuing out, or ordering of the Writ or Writs of Election upon the calling, or summoning of any Parliament hereafter, or after any such place becomes vacant, shall, or do hereafter by him-

E

No Persons to be elected after the Teste of the Writ shall by themselves or any other ways at their charge before the Election, give, promise or oblige themselves to give any thing to any Person, having a Vote in particular, or to any County or Place in general, in order be elected. self,

England. self, or themselves, or by any other ways or means on his or their behalf, or at his or their charge, before his or their Election to serve in Parliament for any County, City, Town, Borough, Port or Place within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, directly or indirectly give, present or allow to any Person or Persons, having Voice or Vote in such Election, any Money, Meat, Drink, Entertainment or Provision, or make any Present, Gift, Reward or Entertainment, or shall at any time hereafter make any Promise, Agreement, Obligation or Engagement to give, or allow any Money, Meat, Drink, Provision, Present, Reward or Entertainment to, or for any such Person or Persons in Particular, or to any such County, City, Town, Borough, Port or Place in General, or to or for the use, advantage, benefit, employment, profit or preferment of any such Person or Persons, Place or Places in order to be elected, or for being elected to serve in Parlia-

ment,

## Of the Elected.

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England.

ment, for such County, City, Town, Borough, Port, or Place.

And it is hereby further enacted and declared, that every Person or Persons so giving, presenting or allowing, making, promising or engaging, doing, acting or proceeding, shall be, and hereby are declared, and enacted, to be disabled and incapacitated upon such Election to serve in Parliament for such County, City, Town, Borough, Port or Place, and that such Person or Persons shall be deemed, and taken no Member in Parliament, and shall not act, sit or have any Vote or Place in Parliament, but shall be, and are hereby declared and enacted to be, to all intents, constructions and purposes, as if they had been never returned, or elected Members for the Parliament.

*Such Persons  
so giving, pro-  
mising, &c. dis-  
abled to serve,  
but declared to  
be as if never e-  
lected or return-  
ed.*

Stat. 7 & 8 W. 3. ch. 7. and continued by

Stat. 12 & 13 W. 3. ch. 5.

Enacted, &c. That all false Returns wilfully made of any Knight of the Shire, Citizen, Burgess, Baron of the Cinque-ports, or other

*False Returns  
of Knights, Ci-  
tizens, &c. il-  
legal and prohi-  
bited.*

E 2

Member

England. Member to serve in Parliament are against Law, and are hereby prohibited.

The Party grieved (by any false return, and contrary to the last determination of the Right of Election of the House of Commons, which is also adjudg'd a False Return) (to wit) every person that shall be duly elected to serve in Parliament for any County, City, Borough, Cinque-Port, or Place, by such False Return, may sue the Officers and Persons making or procuring the same, or any of them, at his Election, in any of His Majesty's Courts of Record at Westminster, and shall recover double the Damage he shall sustain by reason thereof, together with his full Costs of such Suit.

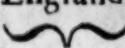
Any Officer that shall wilfully, falsely and maliciously return more persons than are required to be chosen by the Writ or Precept on which any Choice is made, the like Remedy may be had against him or them, and the party or parties that willingly procure the same, and every or any of them, by the party grieved at his Election.

*An Action given to any duly elected against the Officer for, and Procurer of, a False Return, or Return contrary to the last determination of the Right of Election in the House of Commons, in any of the Courts at Westminster, with double Damages, and full Costs.*

*Like Action given the elected against Officer, &c. falsely, &c. making Double Returns, and the Procurers of such Returns.*

All Contracts, Promises, Bonds and Securities whatsoever hereafter made or given to procure any Return of any Member to serve in Parliament, or any thing relating thereto, be adjudged void; And that whoever makes or gives such Contract, Security, Promise or Bond, or any Gift or Reward to procure such False or Double Return, shall forfeit the Sum of 300*l.* One third part thereof to be to His Majesty, another third part thereof to the Poor of the County, City, Borough or Place concerned, and one third part thereof to the Informer, with his Costs, to be recovered in any of His Majesty's Courts of Record at Westminster, by Action of Debt, Bill, Plaintiff, or Information, wherein no Essoin, Protection, or Wager of Law shall be allowed, nor more than one Imparlane.

The Clerk of the Crown to keep a Book of Entry of every Single and Double Return, and of every Alteration and Amendment in every such Return, whereto all persons to have access, and take Copies of so much as desir'd at a reasonable Fee — The parties

*Contracts, England.*  
*Bonds, &c. given*   
*to procure the*  
*Return of any*  
*Members, ad-*  
*judg'd void, and*  
*such (Members)*  
*as make or give*  
*them to procure*  
*any False or Dou-*  
*ble Return, for-*  
*feit 300*l.* One*  
*third to the King,*  
*another to the*  
*Poor of the Coun-*  
*ty, City, &c. and*  
*a third to the In-*  
*former with his*  
*Costs, to be recov-*  
*ered by Action*  
*of Debt, &c.*  
*wherein no Es-*  
*soin, &c. and but*  
*one Imparlane*  
*allowed.*

England. prosecuting such Suit (Candidates) may give such Book, or a true Copy thereof, in Evidence, and have like Advantage as by producing the Record it self; And if the Clerk of the Crown makes not such Entry within six days after any Return, or alters any Return without Order of the House of Commons, or gives a Certificate of any person not returned, or wilfully neglects or omits his Duty herein, to forfeit 500l. for each Offence to the party grieved (Candidate) to be recovered as aforesaid, and lose his Office, and be for ever incapable of holding it.

Every Information or Action brought upon this Statute, shall be brought within the space of two years after the cause of Action shall arise, and not after.

Informations or Actions on this Statute to be brought within two years after the Cause of Action.

Stat. 7 & 8 W. 3. ch. 25.

Enacted, &c. That upon every Election to be made of any Knight or Knights of the Shire (in case a Poll shall be required) the Sheriff or his Under-Sheriff shall appoint for each Candidate such one person as shall be nominated

Candidates for Knights of the Shire may nominate persons to be Inspectors of every Clerk for taking the Poll, and may require each

to him by each Candidate to be Inspectors of every Clerk who shall be appointed for taking the Poll ; and every Freeholder, before he is admitted to poll at the same Election, shall, if required by the Candidates or any of them, first take the Oath (*in this Act contained, which see in the Appendix.*)

And if any person do unlawfully and corruptly procure or suborn any Freeholder or other person to take the said Oath in order to be polled, whereby he shall commit wilful and corrupt Perjury, and shall be thereof convicted, He for every such Offence shall incur the like Pains and Penalties as are in and by one Act of Parliament made in the fifth year of the Reign of the late Queen *Elizabeth, &c.* enacted against all such who shall, &c. suborn or procure any person to commit any unlawful and corrupt Perjury contrary to the said Act.

The said Sheriff, or in his absence his Under-Sheriff, or such as he shall depute, shall not adjourn the County-Court from the place of Election to

Freeholder to be England.  
sworn before ad-  
mitted to poll.

*Any Person pro-  
curing a Freehol-  
der or other to  
take the Oath for  
the Poll, whereby  
he commits Per-  
jury, and con-  
victed of such Sub-  
ornation, for e-  
very Offence (for-  
feits 40l. and be  
incapacitated as  
a Witness till  
such Judgment  
be reversed; and  
for want of 40l.  
to be imprison'd  
half a year and  
stand in the Pit-  
lery an hour, per  
Stat, 5 El. ch.9.)*

*Without the  
Candidates con-  
sent, the County-  
Court not to be  
adjourned from  
E 4 any*

England, any other Town or Place within the same County without the consent of the Candidates, but shall duly and orderly proceed to take the Poll from day to day, and time to time, without any further or other Adjournment, without the consent of the Candidates.

Every Sheriff, Under-Sheriff, Mayor, Bailiff, and other Officer to whom the Execution of any Writ or Precept shall belong for the electing Members to serve in Parliament, shall forthwith deliver to each person or persons as shall desire the same, a Copy of the Poll taken at such Election, paying only a reasonable Charge for writing the same; And every Sheriff, Under-Sheriff, Mayor, Bailiff, and other Officer to whom the Execution of any Writ or Precept for electing Members to serve in Parliament doth belong, for every wilful Offence contrary to this Act shall forfeit to every party so aggrieved the Sum of 500l. to be recovered by him or them, his or their Executors or Administrators, together with full Costs of Suit, and for which he or they may sue by Action of Debt, Bill,

*the place of Election, nor the Poll discontinued.*

*Any Person may demand a Copy of any Poll, which Sheriffs, Mayors, &c. are required to deliver, paying reasonably for writing it.*

*To each Party grieved, Mayors, Sheriffs, &c. for every wilful Offence contrary to this Act, forfeit 500l. to be recovered by such party, his Executors or Administrators, with full Costs, by Action of Debt, &c. wherein no Es- soin, &c. to be allowed.*

*Plaint,*

Plaint, or Information in any of His Majesty's Courts at Westminster, wherein no Es-  
soin, Protection, Wager of Law, Privilege, or Impar-  
lance, shall be admitted or al-  
lowed.

No person hereafter shall be capable of being elec-  
ted a Member to serve in Parliament, who is not of the Age of 21 years, and every Election or Return of any person under that age is hereby declared to be null and void. And if any such Minor hereafter chosen shall presume to sit or vote in Parliament, he shall incur such Penalties and Forfeitures as if he had presumed to sit and vote in Parliament without being chosen or returned.

The Sheriff of the County of Southampton, or his Deputy, at the request of one or more of the Candidates, for Election of a Knight or Knights of that County, shall adjourn the Poll from Winchester, after every Freeholder then and there present hath polled, to Newport in the Isle of Wight, for the ease of the Inhabitants of the said Island, any thing in this Act contained to the contrary notwithstanding.

*None shall be e-  
lected under the  
age of 21 Years.*

*The Choice of  
any elected un-  
der that age de-  
clar'd void; and  
such Minor sit-  
ting, &c. in Par-  
liament shall in-  
cur like Penal-  
ties as if sitting,  
&c. unchosen or  
returned.*

*Candidates for  
the County of  
Southampton  
may demand of  
the Sheriff, after  
the end of the  
Poll at Winche-  
ster, an Adjourn-  
ment to New-  
port in the Isle  
of Wight.*

England:

Stat. 7 &amp; 8 W. 3. ch. 27.

No person which shall refuse to take the Oaths (of Allegiance and Supremacy, which see in the Appendix) directed by an Act made in the first year of the Reign of his present Majesty and the late Q. Mary, or being Quakers, shall refuse to subscribe the Declaration of Fidelity directed by one other Act of Parliament made in the said first year of the Reign of his present Majesty and the late Queen, (which see also in the Appendix), (to be administered on the Poll by the Sheriff or Chief Officer at any Election,) at the request of any one of the Candidates, shall be admitted to give any Vote for the Election of any Knight of the Shire, Citizen, Burgess, or Baron of the Cinque-Ports, to serve in Parliament.

Candidates may require the Sheriff or Chief-Officer on the Poll, at any Election, to administer the Oaths of Allegiance and Supremacy to Electors, (and if Quakers, the Declaration of Fidelity) and on refusal, not to admit them to vote.

Stat. 11 &amp; 12 W. 3. ch. 2.

Enacted, &c. That if any Member of the House of Commons, during the time of his being a Member of Parliament, by his Deputy, or any other in Trust for him

Members of the House of Commons while such by themselves, Deputies, or Trustees, taking or

or his benefit, take, enjoy, or execute any Office, Place, or Employment touching or concerning the Farming, Managing, or Collecting the Duty of Excise, or determining Appeals concerning the said Duty, or Comptrolling or Auditing the Accounts of the same, such person is hereby declared and enacted to be absolutely uncapable of sitting, voting, or acting as a Member of the House of Commons in such Parliament.

executing any Of- England,  
fice in the Ex-   
cise, or Appeals  
thereof, declar'd  
incapable of sit-  
ting, &c.

Statute 12 & 13 W. 3. ch. 2.

*The Act for the Limitation of the Crown  
to the House of Hanover.*

Enacted, &c. After the Limitation of the Crown to the Princess Sophia of Hanover, (by this Act shall take effect) No Person Born out of the Kingdoms of England, Scotland or Ireland, or the Dominions thereunto belonging, (altho' he be Naturaliz'd or made a Denizen; except such as are Born of English Parents) shall be capable to be a Member of the House of Commons.

Sta-

*Enacted, &c.* That no Member of the House of Commons shall be capable of being a Commissioner or Farmer of the Customs, or of holding or enjoying in his own Name, or in the Name of any other Person in Trust for him or for his Use, or Benefit, or of executing by himself or his Deputy, any Office, Place, or Employment touching or concerning the Farming, Collecting, or Managing the Customs.

If any Member of the House of Commons shall, during the time of his being a Member of Parliament, by himself, or his Deputy, or any other in Trust for him, or for his Benefit, take, enjoy, or execute any Office, Place or Employment, touching or concerning the Farming, Managing, or Collecting the Customs, such Person is hereby declared and enacted to be absolutely incapable of Sitting, Voting, or Acting as a Member of the House in such Parliament.

Members of the House of Commons incapacitated from being Commissioners or Farmers of the Customs, or to hold in their own or others Names, or by others in trust, to execute by Deputies any Office in the Customs.

Members while such so taking or executing any such Office, declared incapable of Sitting, &c.

No Commissioner, Collector, Comptroller, Searcher, or other Officer, or Person concern'd or employ'd in the charging, collecting, levying, or managing the Customs, or any Branch or part thereof, shall, by Word, Message or Writing, or in any other manner endeavour to persuade any Elector to give, or dissuade any Elector from giving his Vote for the choice of any Person to be a Knight of the Shire, Citizen, Burgess or Baron of any County, City, Burrough or Cinque Port, and every Officer or other Person offending therein, shall forfeit the Sum of one hundred Pounds, one Moiety to the Informer, the other Moiety to the poor of the Parish where such Offence shall be Committed, to be recovered by any Person that shall Sue for the same, by Action of Debt, Bill, Plaintiff or Information, in any of his Majesty's Courts of Record at Westminster. In which no Essoign, Protection, or Wager of Law, or more than one Impariment shall be allowed; and every Person Convict on any such Suit, shall be incapable ever to bear any Office or place of Trust under the Crown.

Statute 13 & 14 W. 3. ch. 6.

Enacted, &c. That none which shall be a Member of the House of Commons, shall Vote in the House of Commons, or sit there during any Debate in the said House of Commons, after their Speaker is Chosen, until such Member shall, from time to

Members of the House of Commons not to Vote or Sit there during any Debate, after their Speaker Chosen, until they have taken and Subscribed time

England. time take the Oath, (mentioned in this Act, commonly called the Abjuration, alter'd by Statute I Anna, ch. 22. again by Stat. 4 & 5 Annae, ch. 8. again by Stat. 6 Annae, ch. 7. which last see in the Appendix) and Subscribe the same in manner following; (that is to say) the said Oath shall be in this and every other succeeding Parliament, solemnly and publickly made and Subscribed between the Hours of Nine in the Morning, and Four in the Afternoon, by every such Member of the House of Commons at the Table, in the middle of the said House, and whilst a full House of Commons is there, duly Sitting, with their Speaker in his Chair.

If any Member of the House of Commons shall presume to Vote, not having taken the said Oath, and subscribed the same as aforesaid, every such Member so offending shall from thence be deemed, and adjudged a Popish Recusant convict, to all intents and purposes whatsoever, and shall forfeit and suffer as a Popish Recusant convict, and shall be disabled to hold or execute any Office or place of Profit

ed the Abjuration between 9 and 4, in a full House.

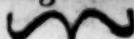
Members Voting, not having so taken, &c. the said Oath, adjudged Popish Recusants convict, and forfeit as such, and disabled to hold any Office or place of Profit or Trust in England or its Dominions, to sit or Vote in Par-

or

or Trust, Civil or Military, in any of His Majesties Realms of England, or Ireland, Dominion of Wales, or Town of Berwick upon Tweed, or in any of his Majesties Islands or Foreign Plantations to the said Realms belonging, & shall be disabled from thenceforth to sit or vote in Parliament, or to Sue or use any Action, Bill, Plaintiff or Information in course of Law, or to Prosecute any Suit in any Court of Equity, or to be Guardian of any Child, or Executor, or Administrator of any Person, or capable of any Legacy or Deed of Gift, and shall forfeit for every wilful Offence against this Act the Sum of 500*l.* to be recovered and received by him or them that shall Sue for the same, and to be Prosecuted by any Action of Debt, Suit, Bill, Plaintiff or Information, in any of His Majesties Courts at *Westminster*, wherein no Essoign, Protection or Wager of Law shall lye.

Statute 2 & 3 Anne, ch. 4.

Enacted, &c. That no Register (for the Registering Memorials of Deeds, Conveyances and Wills) within the West-riding, in the County of York,

liament, bring a- England.   
ny Action or In-  
formation at  
Law, or Suit in  
Equity, be Guar-  
dian of any Child,  
Executor or Ad-  
ministrator of a-  
ny Person, or ca-  
pable of any Le-  
gacy or Deed of  
Gift, and to for-  
feit 500*l.* to any  
that will Sue by  
Action of Debt,  
&c. where no Es-  
soign, &c. shall  
lye.

The Register for  
the West-riding  
of York-shire, or  
his Deputy, inca-  
pacitated to be  
or

England. or his Deputy for the time being, be capable of being Chosen a Member to serve in Parliament. *Chosen Member of Parliament.*

Stat. 4 & 5 Anne ch. 8.

Enacted, &c. That no Person, who shall have in his own Name, or in the Name of any Person or Persons in Trust for him or for his Benefit, any New Office or place of profit whatsoever, under the Crown, which at any time hereafter shall be created or erected, nor any Person who shall be a Commissioner or Sub-Commissioner of the Prizes, Secretary or Receiver of the Prizes, nor any Comptroller of the Accounts of the Army, nor any Commissioner of Transports, nor any Commissioner of the Sick and Wounded, nor any Agent to any Regiment, nor any Commissioner for Wine Licences, nor any Gouvernour nor Deputy-Gouvernour of any of the Plantations, nor any Commissioner of the Navy employed in any of the Out-ports, nor any Person having any Pension from the Crown during Pleasure, shall be ca-

*No Candidate, who shall have in his own Name or in Trust for him or his Benefit, any New Office or Place of Profit hereafter to be created, or be a Commissioner or Sub-Commissioner, Secretary or Receiver of Prizes, Commissioner of the Armies Accounts, Commissioner of the Sick and Wounded, Agent for any Regiment, Commissioner for Wine Licences, Gouvernour or Deputy - Gouvernour of any of the Plantations, Commissioner in any Out-port, or have a Pension from the Crown capable*

pable of being Elected, or of Sitting or Voting as a Member of the House of Commons in any Parliament which shall be hereafter summoned and holden.

If any Person being chosen a Member of the House of Commons shall accept of any Office or Profit from the Crown, during such time as he shall continue a Member, his Election shall be, and is hereby declared to be void, and a new Writ shall issue for a new Election, as if such Person so accepting was naturally Dead. Nevertheless such Person shall be capable of being again Elected, as if his place had not become void as aforesaid.

No greater number of Commissioners shall be made for the Execution of any Office than have been employed in the Execution of any such from the first day of the Session.

Nothing herein contained shall extend, or be construed to extend, to any Member of the House of Commons being an Officer in Her Majesty's Navy or Army, who shall receive any new or other Commission in the Navy, or Army respectively.

F

ring Pleasure, England.  
shall be capable       
of being elected  
or fitting, &c. as  
a Member.

Members chosen accepting any Office of Profit from the Crown, while they continue Members, their Election void, and a new Writ to Issue, but capable of being again Elected.

Members being Officers in the Navy or Army, receiving any New Commission in either, not incapacitated.

If

England. If any Person hereby disabled or declared to be incapable to sit or Vote in any Parliament hereafter to be holden, shall nevertheless be returned as a Member to serve for any County, City, Town, or Cinque-port in any such Parliament, such Election and Return are hereby enacted and declared to be void to all Intents and Purposes whatsoever, and if any Person disabled or declared incapable by this Act to be Elected, shall presume to Sit or Vote as a Member of the House of Commons in any Parliament to be hereafter summoned, such Person so Sitting or Voting, shall forfeit the Sum of 500l. to be recovered by such Person as shall sue for the same by Action of Debt, Bill, Plaintiff or Information, wherein no Essoin, Protection, or Wager of Law shall be allowed, and only one Impar-

Members hereby incapacitated, if returned, their Election void, and presuming to Sit and Vote forfeit 500l. to any that will Sue by Action of Debt, &c. wherein no Essoin, &c. and but one Impar-

lance to be al-  
lowed.

Stat.

## Of the Elected.

67

Gr. Britain.

Stat. 5 Anne, ch. 8.

[*The Union Act.*]

Forty Five shall be the Number of the Representatives of Scotland in the House of Commons of the Parliament of Great Britain.

Every Member of the House of Commons of the Parliament of Great Britain (until the Parliament of Great Britain shall otherwise direct) shall take the respective Oaths appointed to be taken instead of the Oaths of Allegiance and Supremacy by an Act of Parliament made in England in the First Year of the Reign of the late King William and Queen Mary (*The New Oaths of Allegiance and Supremacy, which see in the Appendix.*) And make, Subscribe, and Audibly repeat the Declaration mentioned in an Act of Parliament made in England in the Thirtieth Year of the Reign of King Charles the Second (*The Test, which see also in the Appendix*) and shall take and subscribe the Oath mentioned in an Act of Parliament made in England in the First Year of Her Majesty's Reign (*The Abjuration, which see also in the Appendix.*) At such time and in such manner as the Members of both Houses of Parliament of England are by the said respective Acts directed to take, make, and subscribe the same upon the Penalties and Disabilities in the said respective Acts contained: And it is Declared and Agreed that these Words (*This Realm, The Crown of this Realm, and the Queen of this Realm*) mentioned in the Oaths and Declaration

## Of the Elected.

claration contained in the aforesaid Acts, which were intended to signify the Crown and Realm of *England*, shall be understood of the Crown and Realm of *Great Britain*, and that in that Sense the said Oaths and Declaration be taken and subscribed by the Members of the Parliament of *Great Britain*.

*Enacted accordingly.*

None shall be capable to be Elected (*a Representative for any Shire or Borough of Scotland*) but such as are Twenty One Years of Age complete, and Protestant, excluding all Papists, or such who being suspect of Popery, refuse to Swear and Subscribe the *Formula* contained in the Third Act made in the 8th and 9th Sessions of King *William's* Parliament (*in Scotland, which see in the Appendix*) Nor shall be capable to be elected to Represent a Shire or Burgh in the Parliament of *Great Britain* (*for Scotland*) except such as (*were at the time of passing this Act*) capable by the Laws of (*Scotland*) to be elected as Commissioners for Shires or Boroughs to the Parliament of *Scotland*.

None capable to be Elected for any Shire or Borough of Scotland under 21 Years, nor unless a Protestant, Papists and such as refuse the Formula excluded.

*Like Incapacity on Candidates, not at this time capable by the Laws of Scotland.*

*Enacted accordingly.*

*Stat.*

## Of the Elected.

69

Gr. Britain

Stat. 6 Anne ch. 7.

*A like Clause for incapacitating Persons to be Elected &c. Members of Parliament, and likewise for incapacitating Members of Parliament, with like Restrictions, Exceptions, and Penalties (throughout the United Kingdom) as are contained in the Statute 4 & 5 Anne, ch. 8. relating to Candidates and Members for the Parliament of England.*

*And further Enacted, &c.*  
That every Person disabled to be Elected, or to sit or Vote in the House of Commons of any Parliament of England shall be disabled to be Elected, or to sit, or Vote in the House of Commons of any Parliament of Great Britain.

Candidates disabled to be Elected, or Members to sit, &c. in the Parliament of England, under like disabilities, as to any Parliament of Great Britain.

*Except the present Commissioners for disposing the Equivalent by the present or any other Commission.*

Stat. 6 Anne, ch. 23.

*Enacted, &c.* That every Person who shall refuse to take the Oath of Abjuration, (which see in the Appendix) or being a Quaker, shall refuse to declare the Effect thereof upon his Solemn Affirmation, as directed by an

Candidates or others may require the Sheriff, President of the meeting, &c. on the Poll at any Election of Members of Parliament

Act

F 3

Gr. Britain: Act of Parliament made in the Seventh Year of the Reign of his late Majesty King William, (the Form whereof see in the Appendix) to be Administered by the Sheriff, President of the Meeting, or chief Officer, taking the Poll at any Election of Members, to serve in the House of Commons for any place in Great Britain, or Commissioners for choosing Burgeses for any place in Scotland, at the request of any Candidate or other Person present, shall not be capable of giving any Vote for any Election of any such Member to serve in the House of Commons for any place in Great Britain, or Commissioner to choose a Burges for any place in Scotland.

ment in Great Britain, or of Commissioners for choosing Burgeses in Scotland to administer the Abjuration upon Oath (or upon Affirmation to Quakers) and Electors refusing it, incapable to Vote.

Stat. 6 Anne, ch. 35.

Enacted, That no Register (for the Registering Memorials of Deeds, Conveyances, Wills, &c. within the East-riding of the County of York, or the Town and County of Kingston upon Hull, or his Deputy for the time being, be capable of being Chosen a Member to serve in Parliament,

The Register for the East-riding of York-shire, or Town, &c. of Hull, his Deputy incapacitated to be Chosen a Member of Parliament.

Stat.

## Of the Elected.

71

Gr. Britain.

Stat. 9. Anne.

Enacted, That no Person shall be capable to Sit or Vote as a Member of the House of Commons, for any County, City, &c. within that Part of Great-Britain called England, &c. who shall not have an Estate Freehold or Copyhold for his own Life, or for some greater Estate, either in Law or Equity to his own Use, in Lands, Tenements, or Hereditaments, above what will satisfy and clear all Incumbrances within that Part of Great-Britain called England, &c. of the annual Value of Six hundred Pounds above Reprizes, for every Knight of a Shire; and of Three hundred Pounds above Reprizes for every Citizen, Burgess, &c. And if any persons Elected or Returned to serve in any Parliament, as a Knight of a Shire, or as a Citizen, Burgess, &c. shall not, at the Time of such Election and Return, be seized of, or entitled to such an Estate before required, such Election and Return shall be void.

Persons incapacitated to Sit or Vote in the House of Commons, who have not an Estate, Freehold or Copyhold for Life or Greater, lying in England of 600 l. for a Knight of the Shire, annually; and 300 l. for a Citizen Burgess, &c. and if any Elected, &c. not seized of such an Estate, the Election, &c. void.

F 1

No.

## Of the Elected.

Gr. Britain.

Nothing in this Act contained, shall extend to make the Eldest Son or Heir Apparent, of any Peer or Lord of Parliament, or of any person qualified by this Act to serve as Knight of a Shire, incapable of being Elected and Returned, and Sitting and Voting as a Member of the House of Commons, in any Parliament.

Nothing in this Act contained, shall extend to either of the Universities in that part of Great Britain called England, but that they may elect and return Members to represent them in Parliament, as heretofore they have done.

No Person shall be qualified to sit in the House of Commons, within the meaning of this Act, by Virtue of any Mortgage, whereof the Equity of Redemption is in any other Person, unless the Mortgagee shall have been in Possession of the Mortgaged Premises for seven Years before the Time of his Election.

Every Person (except as aforesaid) who shall appear as a Candidate, or shall by himself, or any others, be proposed to be Elected, shall, upon Request (at the Time of such

*Eldest Son or  
Heir Apparent of  
a Peer, or Person  
qualified to serve  
as a Knight of a  
Shire, excepted.*

*Elections, for  
each of the Uni-  
versities in Eng-  
land also except-  
ed.*

*No Person qua-  
lified by Ver-  
tue of a Mort-  
gage, unless in  
Possession of the  
mortgaged Pre-  
mises for Seven  
Years before his  
Election.*

*Candidates to be  
sworn to their E-  
states if required,  
by any other Can-  
didate or Two E-  
lectors.*

Election, or before the Day, to be prefixed in the Writ of Summons for the Meeting of the Parliament) by any Person who shall stand Candidate at such Election, or by any two or more persons, having Right to vote at such Election, take a Corporal Oath in the Form (*in this Act contained, which see in the Appendix.*)

The Respective Oaths aforesaid, shall be administered by the Sheriff or under-Sheriff, for any County, or by the Mayor, Bailiff, or other Officer or Officers for any City, Burrough, &c. to whom it shall appertain to take the Poll, or make the Return at such Election, or by any Two or more Justices of the Peace within *England*, &c. And if any of the said Candidates, &c. shall wilfully refuse to take the Oath, the Election and Return of such Person shall be void.

*Before the Sheriff or other Officer by whom the Poll is to be taken or Return made, or Two or more Justices of the Peace.*

*The Elections and Return of Candidates refusing to take the Oath void.*

## 2. Stat. 12. Anne.

Enacted, That from and after the Determination of this present Parliament, no Conveyance or Right whereupon Infeoffment is not taken, and Seisin registered

*No Conveyance or Right after the End of this Parliament whereon Infeoffment is not taken, and One*

**Gr. Britain.** One Year before the Teste of the Writs for calling a New Parliament, shall upon Objection made in this Behalf, entitle the person or persons so enfeft, to be elected at that Election in any Shire or Stewartry in that part of Great-Britain called Scotland; and in Case any Election happen during the Continuance of a Parliament, no Conveyance or Right whatsoever, whereupon Inf feoffment is not taken One Year before the Date of the Warrant for making out a New Writ for such Election, shall upon Objection made in that Behalf, intitle the person or persons so infest, to be elected at that Election; and that it shall be lawful for any of the Electors present, suspecting any person or persons to have his or their Estates in Trust, and for the Behoof of another, to require the Preses of the Meeting to tender the Oath (in this Act contained, which see in the Appendix, intitled the Form of the Freeholders, &c. Oath, to be taken (upon Objection made) by Sta. 12. Annæ, and is the same mutatis mutandis) to any Elector, and the said Preses

*Seis in registered a Year before the Teste of the Writs, shall entitle the Person to be elected in any Shire or Stewartry in Scotland.*

*The like as to Inf feoffments not taken a Year before the date of the Warrant for a New Writ during the Continuance of a Parliament.*

*Any Elector present, suspecting Persons to have Estates in Trust, may require the Preses of the Meeting to swear such to their Estates.*

## Of the Elected.

75

Gr. Britain.

is hereby required to administer the same.

In Case such Elector refuse to swear, and also to subscribe the said Oath, such person or persons shall not be capable of being elected at such Election.

*On Refusal to  
swear and sub-  
scribe the Oath  
incapable to be  
elected,*

Stat. 1 Georgii, cap. 38.

Enacted, That this present Parliament, and all Parliaments that shall at any Time hereafter be called, assembled or held, shall and may respectively have Continuance for seven Years, and no longer, to be accounted from the Day on which by the Writ of Summons this present Parliament hath been, or any future Parliament shall be, appointed to meet, unless this Present, or any such Parliament hereafter to be summoned, shall be sooner dissolved by his Majesty, his Heirs or Successors.

Stat. 1 Georgii, cap. 56.

Enacted, That no Person having any Pension from the Crown for any Term or Number of Years, either in his own Name, or in the Name or Names of any other Person or Persons in Trust for him, or for his Benefit, shall be capable of being elected, or chosen a Member of, or for sitting or vo-

*No Person ha-  
ving any Pension  
from the Crown,  
shall be capable  
of being elected,  
or of sitting or vo-  
ting in the House  
of Commons.*

ting

## Of the Elected.

Er. Britain ting as a Member of this present or any future House of Commons, which shall be hereafter summoned.

If any Person who shall have such Pension as aforesaid, at the Time of his being so elected, or at any Time after, during such Time as he shall continue or be a Member of the House of Commons shall presume to sit or vote in that House, then, and in such Case, he shall forfeit twenty Pounds for every Day in which he shall sit or vote in the said House of Commons, to such Person or Persons who shall sue for the same in any of his Majesty's Courts in *Westminster-Hall*: And the Monies so forfeited shall be recovered by the Person so suing, with full Costs of Suit, in any of the said Courts, by Action of Debt, Bill, Plaintiff, or Information, in which no *Effoin*, Privilege, Protection, or Wager of Law, shall be allowed, and only one Imparlane.

*Any Person having such Pension, at the Time of his being elected, or after, and presuming to sit or vote in that House, shall forfeit 20 l. for each Day he so sits or votes, to the Person who shall sue for the same in any of the Courts at Westminster, to be recovered with full Costs of Suit, by Action of Debt, &c. in which no Effoin, &c. shall be allowed, and but one Imparlane.*

Stat. 7 Georgii, cap. 28.

Enacted, That Sir John Fellowes Baronet, late Sub- *The late Sub-Governor, De-*  
*Governor, De-*  
*Go-*

## Of the Elected.

77

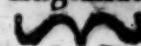
Governor, *Charles Joy*, Esquire, late Deputy-Governor, *William Astell*, Esq; *Sir Lambert Blackwell* Bart. *Sir John Blunt* Bart. *Sir Robert Chaplin* Bart. *Sir William Chapman* Knight and Bart. *Robert Chester*, Esq; *Stephen Child*, Esq; *Peter Delaporte* Esq; *Francis Eyles*, Esq; *James Edmundson* Esq; *Edward Gibbon* Esq; *John Gore* Esq; *Sir William Hamond* Knt. *Francis Hawes* Esq; *Richard Horsey* Esq; *Richard Houlditch* Esq; *Sir Theodore Janssen* Knt. and Bart. *Sir John Jacobson* Knt. *Arthur Ingram* Esq; *Sir John Lambert* Bart. *Sir Harcourt Master* Knt. *William Morley* Esq; *Ambrose Page* Esq; *Colonel Hugh Raymond*, *Samuel Read* Junior, Esq; *Thomas Reynolds* Esq; *Jacob Sawbridge* Esq; *William Tillard* Esq; and *John Turner* Esq; late Directors of the Corporation of the Governor and Company of Merchants of Great-Britain trading to the South-Seas and other Parts of America, and for encouraging the Fishery; and also *Robert Knight* late Treasurer or Cashier, *Robert Surman* late Deputy-Governor, Directors, Cashier, Deputy-Cashier and Accountant of the South-Sea Company, as also John Aislaby Esq; disabled to hold any Place of Profit or Trust, or to sit or vote in either House of Parliament.

Deputy

## Of the Elected.

Gr. Britain. Deputy Cashier, and *John Grigsby* late Accountant to the said Corporation, as also *John Aislaby* Esq; and every of them, shall be, and are hereby disabled and made incapable at all times, from and after the twenty-fourth Day of *June*, one Thousand seven hundred and twenty-one, to hold or execute any Office or Place of Profit or Trust, Civil or Military, under his Majesty, his Heirs or Successors, or to sit or vote in either House of Parliament.

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O F T H E

# Officers Returning, &c.

Stat. 5 R. 2. ch. 4.

The King doth Will and Command, and it is assented in the Parliament by the Prelates, Lords and Commons, that if any Sheriff of the Realm be from henceforth negligent in making his Returns of Writs of Parliament, or that he leave out of the said Returns any Cities or Boroughs which be bound, and of old Time were wont to come to the Parliament, he shall be Amerced, or otherwise punished in the manner as was accustomed to be done in the said Case in times past.

Sheriffs ~~neglecting to make Returns, or leaving out the Returns of Cities or Boroughs, shall be Amerced, or otherwise punished, as in old Times accustomed.~~

Stat.

~~~~~

Stat. 7. H. 4. c. 15.

Ordained, &c. That from henceforth (in order to the Elections of Knights of Countries for the Parliament) at the next County to be holden after the Delivery of the Writ of the Parliament, Proclamation shall be made in the full County of the Day and Place of the Parliament, and that all they that be there present, as well Suitors duly summoned for the same Cause as other shall attend to the Election of the Knights for the Parliament, and then in the full County they shall proceed to the Election freely and indifferently, notwithstanding any request or Commandment to the contrary.

And after that they be chosen, the Names of the Persons so chosen (be they present or absent) shall be written in an Indenture under the Seals of all them that did choose them, and tacked to the same Writ of the Parliament, which Indenture so Sealed and Tacked, shall be holden for the Sheriff's Return of

Proclamation to be made at the next County-Court after the delivery of the Writ to the Sheriff for the Election of Knights of the Shires.

Sheriff's Return after the Election shall be by Indenture (containing the names of the Persons Chosen) Sealed by the Electors, and annexed to the Writ.

the

## Of the Officers Returning.

81

England.

the said Writ touching the Knights of the Shires.

*In Writs of Parliament hereafter to be made, this Clause shall be put; Et Electionem tuam in pleno Comitatu factam sub sigillo tuo & sigillis eorum qui electioni illi interfuerant nobis in Cancellaria nostra ad diem & locum in brevi contentu' certifices indilate.*

Stat. 11 H. 4. ch. 1.

Forasmuch as in the Statute (7 H. 4. ch. 15.) no Penalty was ordained or limited in Special upon the Sheriffs of the County, if they make any returns contrary of the same Statute, It is Ordained that the Justices assigned to take Assizes, shall have power to Inquire at their Sessions of Assizes of such returns made; and if it be found by Inquest and due Examination before the same Justices that any such Sheriff hath made, or hereafter make any return contrary to the Tenor of the said Statute, that then

*Of Returns made by Sheriffs, contrary to the Statute 7 H. 4. ch. 15.*

*Justices of Assize empower'd to inquire, and on Inquest and Proof made thereof, such Sheriffs to pay 100 l. to the King.*

G

the

England. the same Sheriff shall incur  
 the Penalty of 100*l.* to be  
 paid to our Lord the King.

Stat. 6 Hen. 6. ch. 4.

Ordained, &c. That all Sheriffs shall have their Answer and Traverse to Inquests and Offices, before any Justices or Assizes hereafter, to be taken, (upon the Stat. 7 Hen. 4. ch. 15. and 11 Hen. 4. ch. 1.) and the said Sheriffs shall not be endamaged unto our Lord the King, or his Successors, for any such Inquest taken, or to be taken, until they be duly Convict according to the form of Law.

Sheriffs shall have their Traverses to Inquests, &c. Upon the Statute 7 Hen. 4. ch. 15. & 11 Hen. 4. ch. 1.

Stat. 8 Hen. 6. ch. 7.

Provided, &c. That such to be Chosen Knights of the Shire as have the greatest number of them that may expend 40*s.* by Year and above, shall be returned by the Sheriffs of every County, Knights for Parliament, by Indentures Sealed betwixt

Sheriffs to return such as have the Majority of those that can expend 40*s.* a Year, Knights of the Shire by Indentures be-  
the

the said Sheriffs and the said Choosers so to be made.

And every Sheriff of the Realm of *England* shall have power to examine upon the Evangelists every such Chooser, how much he may expend by the Year.

And if any Sheriff return Knights to come to the Parliament, contrary to the said Ordinance, the Justices of Assizes in their Sessions of Assizes, shall have power thereof to inquire.

And if by Inquest the same be found before the Justices, and the Sheriff thereof be duly attainted, that then the said Sheriff shall incur the penalty of 100*l.* to be paid to our Lord the King, and also that he have Imprisonment by a Year without being let to Mainprize or Bail.

twixt themselves *England* and the Electors.

*The Sheriffs im-  
power'd to exa-  
mine each Ele-  
ctor upon Oath  
how much he can  
expend a Year.*

*Of Sheriffs re-  
turns contrary to  
this Act, Justices  
of Assizes are im-  
power'd to in-  
quire.*

*If found by In-  
quests, and the  
Sheriff thereof  
attainted, he shall  
pay 100*l.* to the  
King, and be Im-  
prisoned a Year  
without Bail.*

*And that in every Writ hereafter to go forth,  
mention shall be made of this Ordinance.*

## Of the Officers Returning.

Stat. 23 Hen. 6. c. 15.

Ordained, &c. That every Sheriff, after the delivery of any Writ (of Election) to him made, shall make and deliver without fraud, a sufficient Precept under his Seal to every Mayor and Bailiff, or to Bailiffs or Bailiff where no Mayor is, of the Cities and Boroughs within his County, reciting the said Writ, Commanding them by his Precept, if it be a City, to Choose by Citizens of the same City, Citizens, and in the same manner and form, if it be a Burrough, by the Burgeesses of the same, to come to the Parliament.

And that the same Mayor and Bailiffs, or Bailiffs or Bailiff where no Mayor is, shall return lawfully the Precept to the same Sheriff, by Indentures betwixt the same Sheriff and them, to be made of the said Elections, and of the names of the said Citizens and Burgeesses by them so Chosen, and thereupon every Sheriff shall

Sheriff after the receipt of a Writ of Election, to deliver a Precept under his Seal, to every Mayor, Bailiff, &c. of the Cities and Burroughs within his County, reciting his Writ, and commanding them by Citizens and Burgeesses, to choose Citizens and Burgeesses.

Mayors, Bailiffs, &c. To return the Precept to the Sheriff by Indentures of the Election, and the names of the Elected made betwixt them.

make

make a good and rightful return of every such Writ; and of every return by the Mayors and Bailiffs, or Bailiffs or Bailiff, where no Mayor is, to him made.

And that every Sheriff, at every time that he doth contrary to this Statute, or any other Statutes for the Election of Knights, Citizens and Burgesses to come to the Parliament, before this time made, shall incur the pain contained in the Statute, made in the Eighth Year (of the now King's Reign) and moreover shall forfeit and pay to every person hereafter Chosen Knight, Citizen or Burgess in his County to come to any Parliament, and not duly returned, or to any other Person which in default of such Knight, Citizen or Burgess will Sue, an Hundred Pound, whereof every Knight, Citizen and Burgess so grieved, severally, or any other Person which in their default will Sue, shall have his Action of Debt against the said Sheriff or his Executors, or Administrators, to demand and have the said 100*l.* with his Costs spent in that Case, and that in such Action taken by virtue of this

Sheriffs there-England upon to return ~~the~~ the Writ, and every return made by such Mayors, Bailiffs, &c.

Sheriffs Acting contrary to this Statute, or any other Statute for Elections, to pay 100*l.* to the King, and suffer ayears Imprisonment, without Bail, (per Stat. 8 Hen. 6. ch. 7.) and forfeit to every person chosen a Knight, Citizen or Burgess, and not duly returned, or to any other which in their default will Sue, 100*l.* to be recovered by Action of Debt against the Sheriff, his Executors, or Administrators, with Costs, wherein no Wager of Law, &c. to be allowed.

England. Statute, the Defendant shall  
 ~~~ not Wage his Law of the  
 demand aforesaid in any wise--  
 And that no Defendant in  
 such Action shall have any  
 Essoign.

And in the same manner  
 at every time that any Mayor  
 and Bailiffs, or Bailiffs or Bai-  
 liff, where no Mayor is, shall  
 return other than those which  
 be Chosen by the Citizens and  
 Burgesses of the Cities or Bur-  
 roughs where such Elections  
 be, or shall be made, shall incur  
 and forfeit to the King  
 40l. and moreover shall for-  
 feit and pay to every person  
 hereafter chosen Citizen or  
 Burgess to come to the Par-  
 liament, and not by the same  
 Mayor and Bailiff, or Bailiff  
 or Bailiffs where no Mayor is,  
 returned, or to any other per-  
 son, which in default of such  
 Citizen or Burgess so Chosen  
 will Sue, 40l. whereof every  
 of the Citizens and Burgesses  
 so grieved severally, or any  
 other Person which in their  
 default will sue, shall have  
 his Action of Debt against e-  
 very of the said Mayor and  
 Bailiffs, or Bailiffs or Bailiff  
 where no Mayor is, against  
 their Executors or Admini-  
 strators, to demand and have

Mayors, Bai-  
 liffs, &c. return-  
 ing other than  
 those chosen by  
 Citizens and  
 Burgesses, shall  
 forfeit 40l. to the  
 King, and to e-  
 very Person cho-  
 sen a Citizen or  
 Burgess, and not  
 by them return-  
 ed, or to any o-  
 ther that in de-  
 fault of such Ci-  
 tizen or Burgess  
 will Sue, 40l.  
 (more) to be re-  
 covered by like  
 Action of Debt,  
 with Costs.

## Of the Officers Returning.

87

England.

of every of the said Mayors and Bailiffs, or Bailiffs or Bailiff where no Mayor is, 40*l.* with his Costs in this Case expended.

And that in such Action of Debt taken, by force of this Statute, no Defendant in any wise shall Wage his Law of the said Demand, nor have any Essoign.

And that every Sheriff that maketh no due Election of Knights to come to the Parliament in convenient time, (*that is to say*) every Sheriff in his full County, betwixt the Hour of Eight, and the Hour of Eleven before Noon, without Collusion in this behalf.

And that every Sheriff that maketh not good and true return of such Elections of Knights to come to the Parliament, in time to come, as to them pertaineth, in manner and form aforesaid, shall forfeit to the King an Hundred Pound, and also shall incur the pain of 100*l.* to be paid to him that will sue against him, his Executors or Administrators, for this Cause, by way of Action of Debt, with his Costs in this behalf expended, without Waging of

*Sheriff not making Election of Knights of the Shire in a full County Court between eight and eleven in the Morning, and a good return according to forfeit 100*l.* to the King, and 100*l.* more to him that will sue, to be recovered by like Action of Debt, with Costs.*

England. Law of his Demand, or having Essoign as afore is said.

Provided always, That every Knight, Citizen and Burges to come to any Parliament hereafter, to be holden in due form, Chosen, and not returned as afore is said, shall begin his Action of Debt aforesaid, within three Months after the same Parliament commenced, to proceed in the same suit effectually without Fraud. And if he doth not so, another that will sue shall have the said Action of Debt, (as it is aforesaid) and shall recover the same with his Costs spent in this behalf, in manner and form aforesaid, so that no Defendant in such Action shall Wage his Law, nor be Essoign'd in any wise, as afore is said. And that such Process shall be in the Actions aforesaid, as in a Writ of Trespass done against the Peace at the Common-Law.

So that the Knights of the Shires for the Parliament hereafter to be Chosen, shall be notable Knights of the same Counties for which they shall be Chosen, or otherwise such notable Es-

Such Actions to be brought by such Kt. Citizen and Burges within 3 Months after the commencement of such Parliament, and to be proceeded in without fraud.

And after that time by any other.

Like Process to be in such Actions as in Trespass at Common Law.

Provided, That Knights of the Shires be Knights of the Counties they shall be Elected for, or Esqrs; or quires

## Of the Officers Returning. 89

quires or Gentlemen, (after Born) of the same Counties, as shall be able to be Knights; and no Man to be such Knight which standeth in the degree of a Yeoman and under.

Gentlemen able England.  
to be Knights,       
and not Teomen  
or under.

Stat. 27 H. 8. ch. 26.

Enacted, &c. That Elections shall be made for the Sheriffs and Boroughs in Monmouthshire (heretofore part of Wales) and in Wales, in like Manner, Form and Order as Knights and Burghesses of the Parliament be elected and chosen in other Shires of his Realm.

Duties of Sheriffs and other returning Officers in Wales, like the same in England.

Stat. 34 & 35 H. 8. ch. 13.

Enacted, &c. That the County Palatine of Chester shall have two Knights for the said County Palatine, and likewise 2 Citizens to be Burghesses for the City of Chester, to be elected and chosen by Process to be awarded by the Chancellor of

Writ of Election under the Great Seal for Elections in Chester, to be directed to the Chamberlain, &c. of Chester, and his Precept England

## Of the Officers Returning.

England.

England unto the Chamberlain of *Chester*, his Lieutenant or Deputy for the time being, and so like Process to be made by the Chamberlain, his Lieutenant or Deputy, to the Sheriff of the said County of *Chester*, and the same Election to be made in like Manner and Form to all Intent, Constructions and Purposes, as is used within the County Palatine of *Lancaster* or any other County and City within this Realm of *England*, which said Knights and Burgesses and every of them so elected and chosen, shall be Returned by the said Sheriff into the Chancery of *England* in due Form, and upon like Pains as it is Ordained that the Sheriff or Sheriffs of any other County should make their Return in case like.

thereon to the Sheriff of the County.

Sheriff of Chester to make like Returns, and on like Pains as other Sheriffs.

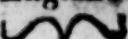
Stat. 35 H. 8. c. 11.

Enacted, &c. That the Burgesses of all and every Cities, Boroughs and Towns in the Twelve Shires within Wales and County of

Mayors, Bayiffs, &c. of the twelve Shire Towns in Wales and of Monmouth

## Of the Officers Returning. 91

Monmouth not finding Bur-  
gesseſ for the Parliament  
themselves and contributary  
to Wages of Burgeſſes of  
ſuch Shire Towns) ſhall be  
lawfully admoniſhedy by  
Proclamation or otherwise,  
by the Mayors, Bayliffs,  
and other Head Officers of  
the ſaid Towns, or by one  
of them, to come and give  
their Elections for the ele-  
cting the ſaid Burgeſſes at  
ſuch time and place lawful  
and reasonable, as ſhall be  
aſſigned for the ſame Intent  
by the ſaid Mayors, Bayliffs,  
and other Head Officers of  
the ſaid Shire Towns, or by  
one of them.

mouth Shire, England. 

ſhall Summons  
the Burgeſſes as  
well of all other  
Cities, Boroughs  
and Towns in  
thoſe Counties,  
as of Burgeſſes  
of thoſe Towns  
themselves, to  
come to Elec-  
tions.

Stat. 25 Car. 2. c. 9.

Enacted, &c. That the  
County Palatine of Durham  
may have two Knights for  
the ſame County, and the  
City of Durham two Citi-  
zens to be Burgeſſes for the  
ſame City for ever hereafter  
to ſerve in the High Court  
of Parliament, to be elected  
and chosen by Writ to be  
awarded by the Lord Chan-

Writ of **E**-  
lection under the  
Great Seal for  
Elections in  
Durham, to be  
directed to the  
Bishop of Dur-  
ham, &c. and his  
Precept thereon  
to the Sheriff of  
that County.  
cellor

England. cellor or Lord Keeper of the Great Seal of *England* for the time being in that behalf to the Lord Bishop of *Durham*, or his Temporal Chancellor of the said County of *Durham*, and a Precept to be thereupon grounded and made by the Lord Bishop of *Durham* or his Temporal Chancellor for the time being, to the Sheriff of the said County for the time being, and the same Election from time to time to be made in manner and form following (*that is to say*) the Elections of the Knights to serve for the said County Palatine from time to time to be made by the greater number of the Freeholders of the said County Palatine of *Durham*, which from time to time shall be present at such Elections, accordingly as is used in other Counties of this Kingdom, and that the Election of the said Burgesses from time to time to serve in the High Court of Parliament for the City of *Durham* to be made from time to time by the major part of the Mayor, Aldermen, and Freemen of the said City of *Durham*, which from time

to time shall be present at such Elections, which said Knights and Burgesses, and every of them so Elected or Chosen, shall be returned by the said Sheriff into the Chancery of *England* in due form, and upon the like pains as be Ordained for the Sheriff or Sheriffs of any other County of this Kingdom to make his or their Returns in like Cases.

*Sheriff of Durham to make like Returns, and under like Pains, as other Sheriffs.*

*Stat. 7 & 8 W. 3 ch. 7. Continued by Stat.  
12 & 13 W. 3. ch. 5.*

Enacted, &c. That all false Returns wilfully made of any Knight of the Shire, Citizen, Burges, Baron of the Cinqueports, or other Members to serve in Parliament are against Law, and are hereby prohibited, and in case that any Person or Persons shall Return any Member to serve in Parliament for any County, City, Borough, Cinqueport, or place, contrary to the last Determination in the House of Commons of the Right of Election in such County, City, Borough, Cinqueport or Place, that such

*False Returns, illegal and prohibited, and all made contrary to the last Determination of the Right of Election in the House of Commons adjudged a false Return.*

Re-

England. Return so made, shall, and is hereby adjudged to be a false Return.

The Party so grieved (*to wit*) every Person that shall be duly Elected to serve in Parliament for any County, City, Borough, Cinqueport or Place, by such false Return, may Sue the Officers and Persons making or procuring the same, and every, or any of them, at his Election, in any of his Majesty's Courts of Record at Westminster, and shall recover double the Damages he shall sustain by reason thereof, together with his full Costs of such Suit.

Any Officer that shall wilfully, falsely, and maliciously Return more Persons than are required to be chosen by the Writ or Precept on which any choice is made, the like Remedy may be had against him or them, and the Party or Parties that willingly procure the same, and every or any of them, by the Party grieved, at his Election.

All Contracts, Promises, Bonds and Securities whatso-

Officers, &c. making such false Return, liable to an Action at the Suit of any duly Elected in any of the Courts at Westminster, with double Damages and full Costs.

Officers, &c. falsely, &c. making double Returns liable to the like Action.

Contracts, Bonds, &c. given ever

## Of the Officers Returning.

99

ever hereafter made or given, to procure any Retorn of any Member to serve in Parliament, or any thing relating thereto, be adjudged void, and that whoever makes or gives such Contract, Security, Promise, or Bond, or any Gift or Reward to procure such false or double Return, shall forfeit the Sum of 300 l. one third part thereof to be to His Majesty, another third part thereof to the Poor of the County, City, Borough, or Place concerned, and one third part thereof to the Informer, with his Costs to be recovered in any of his Majesty's Courts of Records at Westminster by Action of Debt, Bill, Plaintiff or Information, wherein no Essoin, Protection, or Wager of Law shall be allowed, nor more than one Imparlane.

to procure the England Retorn of any Member adjudged void, and such as make or give them to procure any false or double Return, forfeit 300 l. one third to the King, another to the Poor of the County, City, &c. and a third to the Informer, with his Costs, to be recovered by Action of Debt, &c. Wherein no Essoin &c. and but one Imparlane to be allowed.

*The Clerk of the Crown to keep a Book of Entry of every single and double Return, and of every Alteration and Amendment in every such Return, whereunto all Persons to have access, and take Copies of so much as desired at a reasonable*

## Of the Officers Returning.

able Fee. And if the Clerk of the Crown makes not such Entry in Six Days after any Return, or alters any Return without Order of the House of Commons, or gives a Certificate of any Person not returned, or wilfully neglects or omits his Duty herein, to forfeit 500 l. for each Offence to the Party grieved, to be recovered as aforesaid, and lose his Office, and be for ever incapable of holding it.

Every Information or Action brought upon this Statute, shall be brought within the space of Two Years after the cause of Action shall arise, and not after.

Informations or Actions on this Statute to be brought within two Years after the Cause of Action.

## Of the Officers Returning.

97

England.

Stat. 7 & 8 W. 3; ch. 25.

Enacted, &c. That when any New Parliament shall at any Time hereafter be summoned or called, there shall be Forty Days between Teste and Returns of the Writs of Summons, and that the Lord Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal for the Time being, shall issue out Writs for Election of Members to serve in the same Parliament with as much Expedition as the same may be done. And that as well upon the calling or summoning any New Parliament, as also in case of any Vacancy in Parliament, the several Writs shall be delivered to the proper Officer to whom the Execution thereof doth belong or appertain, and to no other Person whatsoever. And that every such Officer, upon the Receipt of the same Writ, shall upon the Back thereof endorse the Day he received the same, and shall forthwith, upon the Receipt of the Writ, make out the Precept or Precepts to each Borough, Town Corporate,

Writs of Summons to Parliament to have Forty Days between the Teste and Returns, and be issued with all Expedition, and delivered to the proper Officer to whom its Execution belongs, who shall endorse thereon the Day he received it, and within three Days issue and deliver his Precept to the like proper Officer of each Borough, &c. that elects, who shall also endorse the Day of his Receipt of the Precept in the former's Presence, and proceed to Election in eight Days, and give four Days Notice of the Day appointed.

H

\* Port

## Of the Officers returning.

England.

\* Port or Place within his Jurisdiction, where any Member or Members are to be elected to serve in such New Parliament, or to supply any Vacancy in Parliament, and within three Days after the Receipt of the said Writ of Election, shall by himself or proper Agent deliver or cause to be delivered such Precept or Precepts to the proper Officer of every such Borough, Town Corporate, Port or Place within his Jurisdiction, to whom the Execution of such Precept doth belong or appertain, and to no other Person whatsoever. And every such Officer upon the Back of the same Precept, shall endorse the Day of his Receipt thereof in the Presence of the Party from whom he received such Precept, and shall forthwith cause Notice to be given of the Time and Place of Election, and shall proceed to Election thereupon within the Space of Eight Days next after his Receipt of the same Precept, and give Four Days Notice at least of the Day appointed for the Election.

\* (Proper Officer of the Cinque-Ports allowed six Days from the Receipt of the Writ for the Delivery by a subsequent Statute, 10 & 11 W. 3, ch. 7.)

Neither

Neither the Sheriff nor his Under-Sheriff in any County or City, nor the Mayor, Baillif, Constable, Portreeve, or other Officer or Officers of any Borough, Town Corporate, Port or Place, to whom the Execution of any Writ or Precept for electing Members to serve in Parliament, doth belong or appertain, shall give, pay, receive, or take any Fee, Reward or Gratuity whatsoever for the making out, Receipt, Delivery, Return, or Execution of any such Writ or Precept.

Upon every Election to be made of any Knight or Kts. of the Shire to serve in Parliament, the Sheriff of the County where such Election shall be made, shall hold his County-Court for the same Election at the most publick and usual Place of Election within the said County, and where the same has most usually been for 40 Years last past, and shall there proceed to Election at the next County-Court, unless the same fall out to be held within six Days after the Receipt of the Writ, or upon the same Day, and then shall adjourn the same Court to some conveni-

*No Sheriff, England, &c. in any County or City, nor Mayor, &c. of any Borough, Town Corporate, Port or Place, to whom the Execution of any Writ or Precept belongs, to pay or receive any Fee, &c. in the making out, Receipt, Delivery, Return or Execution of the same.*

*Sheriff, for Election of Knights of the Shire, to hold his County-Court where the same has been most usually kept for forty Years last, and proceed to the Election the next Court, unless it happen within six Days after the Receipt of the Writ, or the same Day, and then to adjourn, giving ten Days Notice of the Time and Place.*

England. ent Day, giving ten Days

Notice of the Time and Place  
of Election; and in Case the  
said Election be not determi-  
ned upon the View, with the  
Consent of the Freeholders  
there present, but that a Poll  
shall be required for the De-  
termination thereof; then the  
said Sheriff, or in his Absence,  
the Under-Sheriff, with such  
others as shall be deputed by  
him, shall forthwith there  
proceed to take the said Poll  
in some open or publick Place,  
or Places, by the same Sheriff  
or the Under-Sheriff in his  
Absence, or others appointed  
for the taking thereof as afore-  
said: And for the more due  
and orderly Proceeding in the  
said Poll, the said Sheriff, or  
in his Absence, his Under-  
Sheriff, or such as he shall de-  
pute, shall appoint such Num-  
ber of Clerks as to him shall  
seem meet and convenient for  
the taking thereof; which  
Clerks shall all take the said  
Poll, in the Presence of the  
said Sheriff, or his Under-  
Sheriff, or such as he shall  
depute; and before they be-  
gin the said Poll, every Clerk  
so appointed shall by the said  
Sheriff, or his Under-Sheriff,  
aforesaid, be sworn truly and

If a Poll re-  
quired, the Sher-  
iff, &c. forth-  
with to proceed  
thereon publick-  
ly, and appoint  
Clerks to take the  
Poll in his, &c.  
Presence, who  
shall be sworn by  
him, &c. to take  
it indifferently,  
and to set down  
each Freeholder's  
Name, the Place  
of his Freehold,  
and for whom he  
Polls, and to Poll  
no Freeholder not  
sworn, if requir'd  
by any Candidate.

indifferently to take the same Poll, and to set down the Names of each Freeholder, and the Place of his Freehold, and for whom he shall Poll, and to Poll no Freeholder who is not sworn, if so required by the Candidates, or any of them (which Oath of the said Clerks, the said Sheriff, or his Under-Sheriff, or such as he shall depute, are hereby empowered to administer) and the Sheriff or his Under-Sheriff shall appoint for each Candidate, such one Person as shall be nominated to him by each Candidate to be Inspectors of every Clerk, who shall be appointed for taking the Poll; and every Freeholder before he is admitted to Poll at the same Election, shall, if required by the Candidates, or any of them, first take the Oath (*in this Act contained, which see in the Appendix.*) Which Oath the Sheriff by himself, or his Under-Sheriff, or such sworn Clerks by him appointed for taking the said Poll as aforesaid, are hereby authorized to Administer.

The said Sheriff, or in his Absence, his Under-Sheriff, or such as he shall depute as aforesaid,

Sheriffs, &c.  
to appoint for  
each Candidate,  
one Person nomi-  
nated by such  
Candidate, to be  
Inspectors of eve-  
ry Clerk of the  
Poll.

And to swear  
each Freeholder  
before his Poll be  
taken, if by any  
Candidate requi-  
red, to his Free-  
hold.

Sheriff, &c.  
at the Place of  
Election to pro-  
fess,

England, said, shall at the Place of Election proceed to the polling all the Freeholders then and there present, and shall not adjourn the County-Court then and there held, to any other Town and Place within the same County, without the Consent of the Candidates, nor shall by any unnecessary Adjournment in the same Place of Election, protract or delay the Election; but shall duly and orderly proceed to take the said Poll, from Day to Day, and Time to Time, without any further or other Adjournment, without the Consent of the Candidates, until all the Freeholders then and there present shall be polled.

Every Sheriff, Under-Sheriff, Mayor, Bailiff, and other Officer, to whom the Execution of any Writ or Precept shall belong, for the electing Members to serve in Parliament, shall forthwith deliver to such Person or Persons as shall desire the same, a Copy of the Poll taken at such Election, paying only a reasonable Charge for Writing the same; and every Sheriff, Under-Sheriff, Mayor,

ceed to the Poll, and not adjourn the County-Court to any other Place without the Candidates Consent, nor without such Consent, delay, or discontinue the Poll.

Sheriffs, Mayors, &c. To deliver to any Person desiring it, a Copy of the Poll, paying reasonably for writing it.

Bailiff, and other Officer to whom the Execution of any Writ or Precept for electing of Members to serve in Parliament doth belong, for every wilful Offence contrary to this Act, shall forfeit to every Party so aggrieved, the Sum of Five hundred Pounds, to be recovered by him or them, his or their Executors, or Administrators, together with full Costs of Suit, and for which he or they may sue by Action of Debt, Bill, Plaintiff or Information, in any of his Majesty's Courts at Westminster, wherein no Essoin, Protection, Wager of Law, Privilege or Imparlane shall be admitted or allowed.

Every Return of any Person under the Age of twenty-one Years, is hereby declared to be null and void.

All County-Courts to be held for the County of York, or any other County-Courts, which heretofore used to be held on a *Monday*, shall be called and begun on a *Wednesday*, and not otherwise, any Custom or Usage to the contrary notwithstanding.

The Sheriff of the County of Southampton, or his Deputy, at the Request of one or

Sheriffs, Mayors, &c. for every wilful Offence contrary to this Act, forfeits to each Party grieved 500 l. to be recovered by him, his Executors, &c. with full Costs by Action of Debt, &c. wherein no Essoin, &c. to be allowed.

*The Return of any Person chosen under 21 Years, declared void.*

*County Courts for Yorkshire, and others used to be held on a Monday, to be called and held on a Wednesday.*

*Sheriff, &c. of Hampshire, at the Request of any more*

## Of the Officer's Returning.

England, more of the Candidates, for  
 ~~~~~ Election of a Knight or Kts.  
 of that County, shall adjourn  
 the Poll from *Winchester*, after  
 every Freeholder then and  
 there present is polled, to  
*Newport in the Isle of Wight*,  
 for the Ease of the Inhabit-  
 ants of the said Island, any  
 Thing in this Act contained  
 to the contrary notwithstanding.

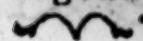
*Candidate of that  
 County, to ad-  
 journ after the  
 End of the Poll at  
 Winchester to  
 Newport in the  
 Isle of Wight.*

Stat. 7 & 8 W. 3. ch. 27.

Enacted, &c. That no Per-  
 son which shall refuse to take  
 the Oaths (of *Allegiance and  
 Supremacy*, which see in the *Ap-  
 pendix*) directed by an Act  
 made in the first Year of the  
 Reign of his present Majesty  
 and the late Queen *Mary*, or  
 being Quakers shall refuse to  
 subscribe the Declaration of  
 Fidelity directed by one other  
 Act of Parliament made in  
 the said first Year of the Reign  
 of his present Majesty, and the  
 late Queen (which see also in  
 the *Appendix*) (which Oath  
 and Subscription respectively  
 the Sheriff or Chief Officer,  
 taking the Poll at any Electi-  
 on of Members to serve in  
 Parliament, at the Request of  
 any of the Candidates are

*Sheriffs, &c.  
 on the Poll at any  
 Election, to ad-  
 minister the Oath  
 of Allegiance and  
 Supremacy to Elec-  
 tors, (and if Quakers, the  
 Declaration of  
 Fidelity) at the  
 Request of any  
 Candidate, and  
 on Refusal, not to  
 admit them to  
 Vote.*

hereby



hereby empowered and required to administer) shall be admitted to give any Vote for the Election of any Knight of the Shire, Citizen, Burgess, or Baron of the Cinque-Ports to serve in Parliament,

Stat. 10 & 11 W.3. ch. 7.

Enacted, &c. That the Sheriff or other Officer having the Execution and Return of any Writ to Parliament, for the future, shall on or before the Day that any future Parliament shall be called to meet, and with all convenient Expedition, not exceeding fourteen Days after any Election made by Virtue of any new Writ, either in Person or by his Deputy, make Returns of the same to the Clerk of the Crown in the High Court of Chancery, to be by him filed, &c. and pay to the Clerk of the Crown 4 s. for every Knight of the Shire, and 2 s. for every Citizen, Burgess, &c. which the Sheriff, &c. shall charge to the King, and have allowed upon his Account.

The proper Officer of the Cinque-Ports shall be allowed six Days from the Receipt

Sheriffs, &c.  
By themselves or  
Deputies, on or  
before the Day  
any Parliament  
shall be called to  
meet, and not  
exceeding 14  
Days after any  
Election made, to  
make his Return  
to the Clerk of  
the Crown, &c.

(See the Stat.  
&c. 7 & 8 W.3.  
ch. 25. pa. 98.)  
of

England.

of such Writ for the Delivery of the Precept according to the Purport of the Act (7 & 8 W. 3. ch. 25.) any Thing in the said Act, or any other Law, Statute or Usage to the contrary in any wise notwithstanding.

Every Sheriff or other Officer or Officers aforesaid, who shall not make the Returns according to the true Intent and Meaning of this Act, shall forfeit for every such Offence the Sum of 500 l. one Moiety whereof shall be to his Majesty, and the other Moiety to him or them that will sue for the same, to be recovered by Action of Debt, Bill, Plaintiff, or Information, in any of his Majesty's Courts of Record, at Westminster, wherein no Essoin, Prosecution, or Wager of Law shall be allowed, nor more than one Imparlane.

Sheriffs, &c. not making Returns according to the true Intent and Meaning of this Act, shall forfeit for each Offence 500 l. one Moiety to the King, the other to him that will sue by Action of Debt, &c. wherein no Essoin, &c. to be allowed, and but one Imparlane.

Stat. 6 Annæ, ch. 6.

Enacted, &c. That when any Parliament shall hereafter be summoned or called, the Forty-five Representatives of Scotland in the House of Commons in the Parliament of Great Britain, shall be

Wrts to issue to the respective Sheriffs or Stewarts, for choosing the 45 Representatives of Scotland to Parliament. elect.

elect'd and chosen by Authority of the Queen's Writs, under the Great Seal of Great Britain, directed to the several Sheriffs and Stewarts of the respective Shires and Stewartries, and the said several Sheriffs and Stewarts shall, on Receipt of such Writs, forthwith give Notice of the Time of Election for the Knights or Commissioners for their respective Shires or Stewartries: And the Clerks of the said Meetings, immediately after the said Elections are over, shall respectively return the Names of the Persons elected to the Sheriff or Stewart of the Shire, or Stewartry, who shall annex to it his Writ, and return it with the same into the Court out of which the Writ is issued.

And as to the Manner of Election of the fifteen Representatives of the Royal Boroughs, the Sheriff of the Shire of Edinburgh, shall on the Receipt of the Writ directed to him, forthwith direct his Precept to the Lord Provost of Edinburgh, to cause a Burgess to be elected for that City; and their Common Clerk shall certify the Name of the Member elected to the

Sheriffs, &c.  
thereon, forth-  
with to give No-  
tice of the Time  
of Election for  
the Shires.

Clerks of the  
Meetings forth-  
with to return the  
Names of the  
Elected to the  
Sheriff, who is  
to annex and re-  
turn it with his  
Writ.

Sheriff of E-  
dinburgh on Re-  
ceipt of his Writ,  
forthwith to di-  
rect his Precept  
to the Lord Pro-  
vost, for electing  
the Burgess for  
that City.

Common Clerk  
of Edinburgh to  
Sheriff

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Sheriff of Edinburgh, who shall annex it to his Writ, and return it with the same into the Court, from which the Writ issued.

And at to the other Royal Burghs, divided into fourteen Classes or Districts, the Sheriffs or Stewarts of the several Shires and Stewartries, shall on the Receipt of their several Writs, forthwith direct their several Precepts to every Royal Burgh within their respective Shires or Stewartries, reciting therein the Contents of the Writ, and the Date thereof, and commanding them forthwith to elect each of them a Commissioner, as they used formerly to elect Commissioners to the Parliament of Scotland, and to order the said respective Commissioners to meet at the presiding Burrough of their respective District (naming the said presiding Burrough) upon the thirtieth Day after the Day of the Teste of the Writ, unless it be upon the Lord's Day, commonly called *Sunday*, and then the next Day after, and then to choose their Burgeys for the Parliament; and the common Clerk of the then presiding Burrough shall im-

certify the Name of the Elected to the Sheriff, who is to annex and return it with the Writ.

Sheriffs, &c. in like Manner to direct their Precepts to the Royal Burgs, for the electing a Commissioner for each, and the Commissioners of each District to meet at the presiding Borough (by Name) for each District on the 30th Day after the Teste of the Writ, unless Sunday, and then Monday, to choose their Burgeys.

Common Clerk of such presiding medately

mediately after the Election return the Name of the Person so elected to the Sheriff or Stewart of the Shire or Stewartry wherein such presiding Burrough is, who shall annex it to his Writ, and return it with the same, into the Court from whence the Writ issued. And in Case a Vacancy shall happen in Time of Parliament, by the Decease or legal Incapacity of any Member, a new Member shall be elected in his Room, conformable to the Method herein before appointed ; and in Case such Vacancy be of a Representative for any one of the said fourteen Classes or Districts of the said Royal Burroughs, that Borough which presided at the Election of the deceased or disabled Member, shall be the presiding Borough at such new Election.

Provided always, That upon the issuing of the Writs of Summons for the electing of a Parliament, if any Shire or Stewartry where a Royal Burrough is, hath not then a Turn or Right to elect a Commissioner or Knight of the Shire or Stewartry for that Parliament, that then it

Borough forthwith to return the Name of the Elected to the Sheriff, &c. in whose Shire such Borough is, who is to annex and return it with his Writ.

To be taken by Sheriffs, &c. Like Method to be taken by Sheriffs, &c. in case of Vacancy in Parliament time, by Decease or Incapacity of a Member ; and if for a Burgh, the presiding Burgh as the first to preside at the new Election.

In Writs to Sheriffs, the Election of a Kt. to be omitted, if the Shires (where a Royal Burgh is) have not then a Turn to Elect.

shall

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shall be omitted out of the Writ, directed to such Sheriff or Stewart, to cause a Knight or Commissioner for that Shire or Stewartry to be elected for that Parliament,

Stat. 6 Annz, ch. 23.

Enacted, &c. That every Person who shall refuse to take the Oath (of *Abjuration*, which see in the Appendix) or being a Quaker, shall refuse to declare the Effect thereof upon his solemn Affirmation, as directed by an Act of Parliament made in the seventh Year of the Reign of his late Majesty King William (the Form whereof see also in the Appendix) which Oath or Declaration, the Sheriff, President of the Meeting, or Chief Officer taking the Poll at any Election of Members to serve in the House of Commons for any Place in Great Britain, or Commissioners for choosing Burgesses for any Place in Scotland, at the Request of any Candidate or other Person present at such Election, are hereby empowered and required to administer, shall not be capable of giving any Vote for the Election of any

Sheriffs, Presidents of Meetings, &c. On the Poll at any Election of Members of Parliament for Great Britain, or of Commissioners for choosing Burgesses for Scotland, at the Request of any Candidate or others, to administer the Abjuration Oath, (or upon Affirmation to Quakers) and Electors refusing it, unable to Vote.

such

## Of the Officers returning.

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such Member to serve in the House of Commons, for any Place in Great Britain, or Commissioner to choose a Burgess for any Place in Scotland.

Stat. 9 Annæ. ch. 5.

Enacted, That every Person (except the eldest Son, or Heir apparent of a Peer, or of a Person qualified by this Act to serve as Knight of a Shire, or such as shall be elected for each of the Universities of England) shall, upon Request, at the Time of the Election, or before the Day to be prefixed in the Writ of Summons for the Meeting of (any subsequent) Parliament, by any other Person who shall stand Candidate at such Election, or by any two or more Persons having a Right to Vote at such Election, take a corporal Oath in the Form, (in this Act contained, which see in the Appendix.)

The respective Oaths aforesaid shall be administered by the Sheriff or Under-Sheriff for any County, or by the Mayor, Bailiff, or other Officer or Officers, for any City, Borough, &c. to whom it

Candidate to be sworn to his Estate, if required by any other Candidate, or 2 Electors.

The Oaths to be administered by the Sheriff, or other Officer by whom the Poll is to be taken, and Return made, or shall

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shall appertain to take the Poll, or make the Return at such Election, or by any two or more Justices of the Peace within *England, &c.* and the said Sheriff, Mayor, Bailiff, or other Officers, and the said Justices of the Peace respectively, are hereby required to certify the Taking thereof into her Majesty's High Court of Chancery, or the Queen's Bench, within three Months after the Taking the same, under the Penalty of forfeiting One hundred Pounds; one Moiety to the Queen, and the other Moiety to such Person or Persons as will sue for the same, to be recovered with full Costs of Suit, by Action of Debt, Bill, Plaintiff, or Information, in any of her Majesty's Courts of Record at *Westminster*.

No Fee or Reward shall be taken for administering any Oath, or making, receiving or filing the Certificate thereof, except one Shilling for administering the Oath, and two Shillings for making the Certificate, and two Shillings for receiving and filing the same, under the Penalty of Twenty Pounds to be forfeited by the

two or more Justices of the Peace,

Who are to certify the same into the Chancery or Queen's Bench within three Months, under 100 l. Forfeiture, to be recovered by Action of Debt, &c. half to the Queen, half to him that sues, with full Costs.

12 d. only to be paid for the Oath, 2 s. for making, and 2 s. for filing the Certificate, under 20 l. Forfeiture to be recovered and divided as above.

Officer.

Offender, and to be recovered and divided as aforesaid.

Stat. 10 Annæ 23.

Enacted, That upon every Election to be made of a Knight of a Shire within England, every Freeholder before he is admitted to Poll, shall, if required by the Candidates, or any of them, or any other Person having a Right to Vote, first take the Oath (in this *Act* contained, which see in the Appendix) which Oath, the Sheriff, &c. is to administer: And in taking the Poll, the Sheriff, &c. shall enter, not only the Place of the Elector's Freehold, but also the Place of his Abode, and *Jurat* against the Name of evcry Voter, who shall be tender'd and take the Oaths hereby required; and the Sheriff, or returning Officer, shall within twenty Days after such Election, deliver over upon Oath (to be administered by the two next Justices of the Peace, one Quorum) unto the Clerk of the Peace of the same County, all the Poll-Books of such Elections, and in Counties where there are more than one Clerk of the

Sheriff, &c.  
to swear each  
Freeholder, if by  
any Candidate,  
or Voter, required.

Sheriff, &c.  
shall enter the  
Place of the E-  
lector's Freehold,  
of his Abode, and  
*Jurat* against  
the Name of eve-  
ry Voter sworn,  
and within 20  
Days after the  
Elections deliver  
the Poll Books up-  
on Oath to the  
Clerk of the Peace,  
&c.

Peace,

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Peace, the Original to one, and attested Copies to the rest, to be kept among the Records of the Sessions of the Peace for the County: And if any Quaker, during the Continuance of an Act, (7 Guil. 3.) Intituled, (*An Act, That the solemn Affirmation and Declaration of the People called Quakers, shall be accepted instead of an Oath, in the usual Form*) shall upon such Election, if required by the Candidates, or any of them, declare the Effect of the said Oath upon his solemn Affirmation, in such Manner and Form as is directed by the said Act, every such *Quaker* shall be capable, and admitted to give his Vote for the Election of any such Member within *England*; and every Sheriff, &c. is hereby authorized and required to accept such Affirmation instead of the said Oath, and shall enter *Affirmat'* against the Name of every such *Quaker*.

Sheriff, &c.  
to admit any  
Quaker to vote  
during the Act  
7 W. 3. and ac-  
cept his Affirma-  
tion to the Eff. of  
the Oath, ac-  
cording to the  
said Act, instead  
thereof; and enter  
Affirmat' agaist  
the Name of such Quaker.

2 Stat. 12 Annz.

Enacted, That any of the Electors present, suspecting any Person or Persons (either Electors or Candidates for Shires or Stewartries in Scotland, after the End of this present Parliament) to have his or their Estates in Trust, and for the Behoof of another, may require the Preses to the Meeting to tender the Oath, (in this Act contained, which see in the Appendix) and the said Preses is hereby impowered and required to administer the same.

Returning Officers are hereby ordained to make their Returns of the Persons elected by the Majority of the Freeholders, inrolled, and those admitted by them, reserving always the Liberty of objecting against the Persons admitted to, or excluded from the Poll as formerly.

All Sheriffs of Shires, and Stewarts of Stewartries, shall under the Pain of 50 l. Sterling, one Moiety whereof shall be to the Queen, her Heirs and Successors, and the other Moiety to the Person or Persons who shall sue for the

Preses of the Meeting, upon Request of any Elector of a Shire or Stewartry in Scotland, to swear either Elector or Candidate to their Estates.

Returning Officers to return Persons elected by a Majority of Freeholders inrolled, and those admitted by them, with Liberty of Objecting, &c.

Sheriffs and Stewarts under 50 l. Penalty, half to the Queen half to him that sues before the Court of Session, &c. to make publick fame,

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same, to be recovered before the Court of Session, by any Action Summarily, without abiding the Course of the Roll to make the publick Intimations required by the Laws of Scotland, at the several Parish-Churches within their respective Jurisdictions, at least three Days before the Diet of Elections.

lick Intimation at the Parish Churches within their Jurisdictions 3 Days before the Diet of Elections.

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# APPENDIX.

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*The Form of the Oath of Allegiance appointed by Stat. 1 W. & M. cap. 1.*

I A. B. do sincerely Promise and Swear, That I will be Faithful, and bear true Allegiance to his Majesty King George.

So help me God.

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*The Form of the Oath of Supremacy, appointed by the same Stat.*

I A. B. do Swear, That I do from my Heart Abhor, Detest, and Abjure, as Impious and Heretical, that damnable Doctrine and Posi-

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tion, *That Princes Excommunicated or Deprived by the Pope, or any Authority of the See of Rome, may be Deposèd or Murthered by their Subjects, or any other whatsoever.* And I do declare that no Foreign Prince, Person, Prelate, State, or Potentate, hath, or ought to have, any Jurisdiction, Power, Superiority, Preeminence, or Authority, Ecclesiastical or Spiritual, within this Realm.

So help me God.

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*The Form of the Declaration or Teste, appointed by Stat. 30 Car. 2. Ch. 1.*

I A. B. do Solemnly and Sincerely in the Presence of God, Profess, Testify, and Declare, That I do believe that in the Sacrament of the Lord's-Supper, there is not any Transubstantiation of the Elements of Bread and Wine, into the Body and Blood of Christ, at, or after the Consecration thereof by any Person whatsoever; and that the Invocation or Adoration of the Virgin *Mary*, or any other Saint, and the Sacrifice of the Mass, as they are now used in the Church of *Rome*, are Superstitious and Idolatrous; and I do solemnly in the Presence of God, Profess, Testify, and Declare, That I do make this Declaration, and every Part thereof, in the plain and ordinary Sense of the Words read unto me, as they are commonly understood by *English* Protestants, without any Evasion, Equivocation, or Mental Reservation

## APPENDIX.

tion whatsoever, and without any Dispensation already granted me for this Purpose by the Pope, or any other Authority or Person whatsoever, or without any hope of any such Dispensation from any Person or Authority whatsoever, or without thinking that I am, or may be acquitted before God or Man, or absolved of this Declaration, or any Part thereof, altho' the Pope, or any other Person or Persons, or Power whatsoever, should dispense with, or annull the same, or declare that it was null or void from the Beginning.

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### *The Form of the Abjuration, by Stat. 6 Ann. Ch. 7.*

I A. B. do truly and sincerely Acknowledge, Profess, Testify, and Declare in my Conscience, before God and the World, That our Sovereign Lord King *George* is Lawful and Rightful King of this Realm, and of all other his Majesty's Dominions and Countries thereunto belonging. And I do solemnly and sincerely Declare, that I do believe in my Conscience, that the Person pretended to be Prince of *Wales*, during the Life of the late King *James*, and since his Decease, pretending to be, and taking upon himself the Stile and Title of King of *England*, by the Name of *James* the Third, hath not any Right or Title whatsoever to the Crown of this Realm, or any other the Dominions thereunto belonging: And I do Renounce, Refuse, and Abjure any Allegiance or

## APPENDIX.

Obedience to him. And I do swear that I will bear Faith and true Allegiance to his Majesty King *George*, and him will defend to the utmost of my Power, against all Traiterous Conspiracies and Attempts whatsoever, which shall be made against his Person, Crown, or Dignity, and I will do my utmost Endeavour to disclose and make known to his Majesty, and his Successors, all Treasons and Traiterous Conspiracies which I shall know to be against Him, or any of them. And I do faithfully promise to the utmost of my Power, to Support, Maintain, and Defend the Succession of the Crown against him the said *James*, and all other Persons whatsoever, as the same by an Act Intituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*, is and stands limited to the Princess *Sophia*, Electress and Duchess of *Hanover*, and the Heirs of her Body, being Protestants. And all these things I do plainly and sincerely acknowledge, and swear, according to these Express Words by me spoken, and according to the plain and common Sense and Understanding of the same Words, without any Equivocation, Mental Evasion, or Secret Reservation whatsoever. And I do make this Recognition, Acknowledgment, Abjuration, Renunciation, and Promise, Heartily, Willingly, and Truly, upon the true Faith of a Christian.

So help me God.

*The*

## APPENDIX.

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*The Form of the Freeholders-Oath, to be taken (if required) on the Poll at Elections for Knights of the Shire, by Stat. 7 & 8 W. 3. Ch. 25.*

YOU shall swear that you are a Freeholder for the County of *A.* and have Freehold Lands or Hereditaments of the yearly Value of 40 s. lying at *B.* within the said County of *A.* that you have not been before Polled at this Election.

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*The Form of the Declaration of Fidelity. apointed to be subscribed by Quakers, by Stat. 1 W. & M. cap. 18.*

I *A. B.* do sincerely Promise, and solemnly Declare, before God and the World, that I will be true and faithful to King *George*; and I do solemnly profess and declare, That I do from my Heart Abhor, Detest, and Renounce, as Impious and Heretical, that damnable Doctrine and Position, *That Princes Excommunicated, or Deprived by the Pope, or any Authority of the*

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*the See of Rome, may be Depos'd or Murthered by their Subjects, or any other whatsoever. And I do declare, That no Foreign Prince, Person, Prelate, State, or Potentate, hath, or ought to have, any Power, Jurisdiction, Superiority, Pre-eminency, or Authoriey Ecclesiastical or Spiritual, within this Realm.*

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*The Form appointed by Stat. 7 & 8 W. 3. Ch. 34. In which the Effect of the Abjuration and the Freeholders Oath is to be administred to Quakers.*

**I** A. B. do declare in the Presence of Almighty God the Witness of the Truth of what I say.

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*The Formula appointed by Act of Parliament made 8 & 9 Sess. W. 3. in Scotland.*

**I** A. B. do sincerely from my Heart profess and declare before God, who searcheth the Heart, that I do Deny, Disown and Abhor these Tenets and Doctrines of the Papal Romish Church, viz. The Supremacy of the Pope and Bishop of Rome over all Pastors of the Catholick

## APPENDIX.

lick Church, his Power and Authority over Kings, Princes, and States, and the Infallibility that he pretends to, either without, or with a General Council, his Power of Dispensing and Pardonning, The Doctrine of Transubstantiation, and the Corporal Presence with the Communion without the Cup in the Sacrament of the Lord's Supper, the Adoration and Sacrifice professed, and practiced by the Popish Church in the Mass, the Invocation of Angels and Saints, the Worshiping of Images, Crosses and Relicts, the Doctrine of Superrogation, Indulgences, and Purgatory, and the Service and Worship in an unknown Tongue: All which Tenets and Doctrines of the said Church I believe to be contrary to, and inconsistent with, the written Word of God; and I do from my Heart deny, disown, and disclaim the said Doctrines and Tenets of the Church of *Rome*, as in the Presence of God, without any Equivocation or Mental Reservation, but according to the known and plain meaning of the Words, as to me offered and proposed.

So help me God.

*The*

## APPENDIX.

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### *The Form of the Candidates OATH to be taken ( if required ) by Stat. 9 Annæ.*

I A. B. do Swear, That I truly, and *bona fide*, have such an Estate in Law or Equity, to and for my own Use and Benefit, of or in Lands, Tenements or Hereditaments (over and above what will satisfy and clear all Incumbrances that may affect the same) of the Annual Value of Six hundred Pounds, above Reprizes, as doth qualify me to be elected and Returned to serve as a Member for the County of

according to the Tenour and true Meaning of the Act of Parliament in that Behalf; and that my said Lands, Tenements or Hereditaments, are lying or being within the Parish, Township or Precinct of

Or, in the several Parishes, Townships or Precincts of in the County of  
Or, in the several Counties of

( as the Case may be )

The like Oath (*Mutatis mutandis*) as to the Value of 300*l.* to be taken by Candidates for a City, Borough, &c.

The

## APPENDIX.

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*The Form of the Freeholders OATH  
to be taken (if required) by Stat.  
10 Annæ.*

**Y**OU shall Swear, That you are a Freeholder in the County of in the and have Freehold Lands or Hereditaments lying or being at of the Yearly Value of Forty Shillings above all Charges payable out of the same; and that such Freehold Estate hath not been made or granted to you fraudulently, on purpose to qualify you to give your Vote; and that the Place of your Abode is at and that you have not been Polled before at this Election.

*N.B. The Freeholders Oath appointed by  
the Stat. 7 & 8 W. 3. ch. 25. is abrogated  
by the Statute that appoints this.*

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*The Form of the Freeholders, &c.  
OATH to be taken (upon Objection  
made) by Stat. 12 Annæ.*

**I**A. B. do, in the Presence of God, Declare and Swear, That the Lands and Estate of for which I claim to give my

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my Vote in this Election, are not conveyed to me in Trust, or for the Behoof of any other Person whatsoever; and I do Swear before God, That neither I, nor any Person to my Knowledge, in my Name, or by my Allowance, hath given, or intends to give, any Promise, Obligation, Bond, Back-bond, or other Security, for Redisponing or Reconveying the said Lands and Estate, any Manner of Way whatsoever: And this is the Truth, as I shall answer to God.

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*The Form of the Abjuration, as alter'd by Stat. 4 Annæ ch. 8. to be taken after the Demise of the said late Queen, and as the same is now to be taken.*

I A. B. do truly and sincerely acknowledge, profess, testify and declare in my Conscience, before God and the World, That Our Sovereign Lord King George is Lawful and Rightful King of this Realm, and of all other his Majesty's Dominions and Countries thereunto belonging. (And I do solemnly and sincerely Declare, That I do believe in my Conscience, That the Person pretended to be Prince of Wales, during the Life of the late King James, and since his Decease pretending to be, and taking upon himself the Stile and Title of King of England, by the Name of James the Third, hath not any Right or Title whatsoever to the Crown

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Crown of this Realm, or any other the Dominions thereto belonging: And I do renounce, refuse and abjure any Allegiance or Obedience to him.) And I do swear, That I will bear Faith and true Allegiance to his Majesty King George, and him will Defend to the utmost of my Power, against all traiterous Conspiracies and Attempts whatsoever against his Person, Crown, or Dignity. And I will do my utmost Endeavour to disclose or make known to his Majesty, and his Successors, all Treasons and traiterous Conspiracies, which I shall know to be against him, or any of them: And I do faithfully promise, to the utmost of my Power, to support, maintain and defend the Limitation and Succession of the Crown (against him the said James, and all other Persons whatsoever) as the same by an Act, Intituled, *(An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject)* is, and stands limited to the Princess of Sophia, Electress and Dutchesse Dowager of Hanover, and the Heirs of her Body, being Protestants. And all these Things I do plainly and sincerely acknowledge and swear according to these express Words by me spoken, and according to the plain and common Sense and Understanding of the same Words, without any Equivocation, mental Evasion, or secret Reservation whatsoever: And I do make this Recognition, Acknowledgement, Abjuration, Renunciation, and Promise heartily, willingly, and truly, upon the true Faith of a Christian.

*So help me God.*

**F I N I S.**



